UNIVERSITÉ DE LOUVAIN

RECUEIL DE TRAVAUX

publiés par les membres

DES CONFÉRENCES D'HISTOIRE ET DE PHILOLOGIE

2me SÉRIE

7me FASCICULE

LIFE AND LETTERS OF BISHOP McQUAID

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Censor delegatus.

IMPRIMATUR:

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S. P. Ap. Magister.

BISHOP McQUAID
about 1868

LIMITED SET NO.
TWO HUNDRED EIGHTY NINE

THE LIFE AND LETTERS OF BISHOP McQUAID

PREFACED WITH

The History of Catholic Rochester Before His Episcopate

BY

FREDERICK J. ZWIERLEIN, D. Sc. M. H. (Louvain)
Author of "Religion in New Netherland"

VOL. II

ROMA
DESCLEE & COMPAGNI
(LIBRAI-EDITORI)

LOUVAIN
LIBRAIRIE UNIVERSITAIRE
A. UYTSPRUYST

1926

Also For Sale by
THE ART PRINT SHOP
77 St. Paul Street
ROCHESTER, NEW YORK

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TO
THE PIOUS MEMORY
OF
MY FATHER
WHO DIED JULY 8, 1923
AND
TO MY MOTHER
WHOM MAY GOD LONG KEEP
IN
HEALTH AND HAPPINESS

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CONTENTS

BOOK IV

EARLY EPISCOPATE

CHAPTER XVI

First Troubles 1

CHAPTER XVII

Papal Infallibility 48

CHAPTER XVIII

Sisters of St. Joseph 75

CHAPTER XIX

Early School Fight 119

CHAPTER XX

Other Business 154

BOOK V

CHURCH POLITY

CHAPTER XXI

Removal of Priests 171

CHAPTER XXII

The Egler Case 193

CHAPTER XXIII

Press Trouble 209

CHAPTER XXIV

Irish Land League 220

CHAPTER XXV

Conciliar Legislation 289

CHAPTER XXVI

Approval of Council 345

CHAPTER XXVII

Court Privilege 360

CHAPTER XXVIII

Secret Societies 378

Notes 475

FOREWORD

John Gilmary Shea's splendid series of volumes does not carry the *History of the Catholic Church in the United States* beyond 1866. While he blazed the trail there for generations of Catholic historical scholars after him, the half century following that date, which was particularly a formative period, remained largely virgin field for Catholic pioneer work in historical research and narrative. This is even true today despite the publication in recent years of a number of books that deal with the lives of distinguished Catholic Churchmen, whose main work, in whole or part, fell within this later period. Thus Cardinal Farley's *Life of John Cardinal McCloskey,* Archbishop of New York, and Father Kirkfleet's *Life of Patrick Augustine Feehan,* Archbishop of Chicago, hardly give more than the public lives of these men. They are narratives of events in the literal sense of the word, of things that have come out. They manifest little effort to penetrate beyond the surface, to things that did not come out, so as to reach a real understanding of the events. This can only be done by obtaining and giving the original sources of information from archives and elsewhere. However, this in itself is not enough. Will's *Life of Cardinal Gibbons* is thus well documented, especially the first volume. Nevertheless, Father John Cavanaugh, C. S. C., writing for the National Catholic Welfare News Service, found "too much journalism in this work and not enough of scientific biography." At the same time he expressed the hope that such topics as the Catholic University, Cahenslyism, and the Knights of Labor, which received prejudiced treatment from Mr. Will, would some day be dealt with "in the mood of the sober historian rather than hero-worship."

Panegyric instead of real biography has been the curse of Church History more than once. Yet of necessity biography itself is partial history even when there is no conspiracy, no suppression of truth, no suggestion of what is false. It is mainly the life of one man with emphasis upon his work, his thoughts, and his feelings, as revealed principally by himself.

Its onesidedness needs the corrective that naturally comes from equally frank biographies of opponents. Out of the mass of evidence thus produced on both or many sides, the scientific historian will finally be able to bolt out the objective truth.

In the execution of a sacred trust, I have tried to do my part honestly, with great personal labor and expense, in close observance of the principles of Catholic historical work as laid down by Leo XIII, which the reader will do well to consult in the foreword to the first volume, where they have been briefly expressed, especially in view of the imperfections of the human element within the divinely constituted Church of Christ. Where there is question of using not only official correspondence but also private letters and papers, there may be urged the need of reserve for the sake of the memory and reputation of dead men. But, to quote the words of the Preface to the *Diary of Bishop Cartwright* in the Camden Society publications (1843), "this reserve must not be carried too far; and it may require to be set aside, out of regard to the higher interest of preserving the stream of History pure, and especially when such document exhibits fully and clearly what a prominent actor in any historical period thought and did. Without such materials as these, we should have no authentic history of events."

Past American Catholic historical literature has occasionally given striking evidence of the lack of such history even in essentials. For instance, there has been loose incidental writing about the attitude of certain Bishops on Papal Infallibility, but the documents clearly show the number of Bishops actually opposed to the definition and the reason that moved some to take this stand over and above the question of opportuneness or inopportuneness. While Bishop McQuaid is best known as the great champion of the Catholic Parochial School, yet his work in building up the Catholic School System and in advancing, against State monopoly, the fundamental principle of the natural right in the parent to control the education of the Child has not found the signficant place it deserves in the history of Catholic Education in the United States. This is all the more surprising today in view of the fact that this principle of parental control entered so largely into the recent decision of the United States Supreme Court in the Oregon

School Fight. Furthermore, if I am not mistaken, this is the first time that due prominence is given to the Irish Nationalist agitation in America since the organization of the Land League, which is left untouched even for Ireland in MacCaffrey's *History of the Catholic Church in the Nineteenth Century,* although he does not hesitate to treat crucial controversies of much later date in the Catholic Church of the United States. Men of an older generation have betrayed a lack of understanding of the cross currents in the movement, of which the younger generation knows practically nothing. All this necessitated a large treatment of this great subject, mainly with the help of Bishop McQuaid's own files of the *London Tablet,* of the *London Weekly Register,* and of the *New York Freeman's Journal,* each of which contributed much to the formation of his convictions on the Irish question. This material has been incorporated into two chapters, one on the Irish Land League itself and the other on Secret Societies. This last chapter closes the book on Church Polity, which also for the first time gives what approaches a comprehensive account of the making of the Canon Law for the Catholic Church in the United States.

For this volume the public press has likewise proved to be a rich mine of information, especially the old Rochester *Union and Advertiser* under Mr. Richard Purcell, for the files of which I again give heartfelt thanks to the Times-Union and to Reynolds Reference Library. Here it is likewise my pleasant duty gratefully again to acknowledge my indebtedness for archive source material in large part to his Eminence Cardinal Hayes, while he was Cardinal Farley's Chancellor in the Archdiocese of New York, and to Cardinal Gibbons, the late Archbishop of Baltimore. It may be worthy of note that the latter promoted this work of research in his archives even though he knew Bishop McQuaid's marked divergence from his own policies and methods. Others were equally generous. When documents in the Baltimore and New York Archdiocesan archives made patent the necessity of procuring in copy the correspondence of Bishop McQuaid with Bishop Gilmour and allied documents, Bishop Farrelly, the late Bishop of Cleveland, granted every facility to do the work in the Cathedral House there. Finally, Archbishop Hanna of San Francisco, when he became Auxiliary Bishop to his predecessor, with

characteristic kindness of heart, gave the original drafts of Bishop McQuaid's Roman correspondence in his possession for this work. Of course none of these prelates assumed any responsibility for the actual use made of this source material. That belongs to the author alone. However, this volume has also received the *imprimatur* of the Master of the Sacred Palace at Rome, the Pope's official censor of books. It is, therefore, given to the public with the assurance that it contains nothing contrary to the Church's teaching on Faith and Morals.

BOOK IV
EARLY EPISCOPATE

Chapter XVI
FIRST TROUBLES

As Father McQuaid was closely identified with so many works in the Diocese of Newark, it is hardly surprising that he should have opposed his own nomination to the newly created Diocese of Rochester. He was not, however, on the original list of candidates for that bishopric. The minutes of the special meeting, held at the Second Plenary Council of Baltimore for the erection of new episcopal sees and apostolic vicariates, show that Bishop Timon of Buffalo, from whose Diocese the new see was divided, presented the names of three priests, Reverend James M. Early, Reverend Martin O'Connor, and Reverend Joseph McKenna. These minutes also attest that the prelates of the New York Province thought them worthy to be commended for the new Diocese of Rochester.[1] Nevertheless, some difficulty arose later in regard to the candidates on this list, for Bishop Timon, December 26, 1866, wrote Archbishop Spalding: "I would like to know the objection against Very Reverend James M. Early, first on the list for Rochester. He, I believe, to be unexceptionable and the best [that] could be named."[2] However, Father Early's nomination was rejected in favor of Father McQuaid, whose ardent zeal in the cause of Catholic Education had already received recognition at the Second Plenary Council of Baltimore by his appointment to the Committee in charge of Seminary matters, etc. Father McQuaid, who was his Bishop's Theologian at the Council, informed Dr. Corrigan at Seton Hall of the work assigned to him and his associates:

Barnum Hotel,
Sunday Morning,
8 o'clock.

My dear Doctor,

We are fairly started. Today everything promises a grand display. The Sun is out in all his glory. The attendance is very full.

Dr. McCloskey arrived in N. York only yesterday, and telegraphed that he would be here Saturday evening.

We are divided into 8 congregations, to each of which certain matter is assigned. I am on the third Cong. and we have to take care of Metropolitans, Bishops, Priests, and Seminarists: *De Episcoporum Electione-De verbi Dei Praedicatione-De Vita et Honestate Clericorum-De Seminariis Ecclesiasticis constituendis et ordinandis*, etc., etc.

I am not in the Congregation on Colleges, Schools & the University. I am sorry that I am not.

You will have a code of Canon Law for use after the decrees have been rectified by Rome. We are likely to have a lively time in our Congregation.

Each Cong. is presided by a Bishop, a *Vice Gerens*, and a Notary. Jas. O'Connor of the Phil. Sem. is our Notary—Our Head Officers are nonentities. The Notary and other members are very excellent: Pelamomgues, Melcher, Cantwell, Hendricken, Sullivan, etc.

I telegraphed you yesterday to know if Dyer from Washington had arrived. When I got to Newark, I found that he had already reached there, but had left the depot, and I did not learn what had become of him before starting. I felt anxious to hear that all was right. Your answer has not reached me as yet.

I will be home on Thursday morning. I found some difficulty to obtain the permission.

Hoping that you are well,

Yours sincerely,
B. J. MCQUAID.[3]

Archbishop McCloskey succeeded in overcoming opposition to nominations as bishops of new sees in quarters where opposition is not so common. "Father McQuaid," he wrote Archbishop Spalding, "was equally determined not to accept, & had in this the sympathy and encouragement of his own Bishop, but he has finally yielded to considerations such as have been pressed on the Bishop-elect of Buffalo."[4] Bishop Timon had died, April 16, 1867, and the Lazarist Father, Stephen V. Ryan of St. Louis Diocese, was appointed the new Bishop of Buffalo, also against his own will. Archbishop Spalding received notification of the nomination of the new Bishops, appointed to the recently erected sees, from the Propaganda in a letter of Cardinal Barnabo, dated January 24, 1868.[5] The official information from Rome was promptly communicated from Baltimore to the Archbishop of New York, who replied in acknowledgement of this kindness, Feb-

ruary 21, 1868: "I have not myself received any letter as yet for either Father Ryan or Very Rev. Mr. McQuaid. Yet I have felt myself authorized by you to notify them of their appointment."[6] However, it was only on March 13th that the Holy Father, in a secret Consistory, published the nominations that had already taken effect through the Holy Congregation of the Propaganda.[7] The consecration of Father McQuaid was delayed till July 12, under which date Bishop Bayley wrote in his Diocesan Register: "The newly appointed Bishop of Rochester was consecrated in the Cathedral of New York by the Most Reverend Archbishop—weather very warm. I went with him to take possession of his See, and nearly died of the dust and heat. The weather intensely hot. Hundreds of persons died of sun-stroke in all parts of the country."[8]

A delegation made up of the clergy and laity from each Catholic Church in the City of Rochester met Bishop McQuaid at Syracuse. Although there was a scheme on foot to divert the Bishop to Auburn from the direct route, he refused to spoil the arrangements made for his reception in his episcopal city. The train reached Rochester at 5 P. M. The Central Depot and the streets were thronged with men, women, and children. Bishop McQuaid was put into a carriage, drawn by four horses, and escorted by the Catholic Societies and others to the *Shanty Church* which had been erected to accommodate St. Patrick's Parish during the building of the new church. After Bishop McQuaid was duly installed there in possession of his See, Father Early, the Pastor of the Church, delivered the address of welcome:

> Rt. Rev. and Dear Bishop—The occasion of your taking possession of your Diocese, and coming to reside permanently in our midst is one of universal gladness, alike to clergy and laity. Nor is this cause confined to the Catholic heart; Protestants too feel that it is of importance to our beautiful city thus to be honored with a Bishop of the Holy, Catholic, and Apostolic Church. Hence, all greet your arrival as an auspicious event, well calculated to elevate Rochester, now an Episcopal City, in the estimation of the Christian World. Whilst this is a source of delight to all, irrespective of creed or country, there are consolations afforded to the Catholic heart that rise above these worldly considerations. To the Catholics, you come, not merely to enrich, to honor this city, to be a public benefactor, but as one in whose hands are entrusted the most sacred

deposits that could be confided to a human being. You come, Rt. Rev. Bishop, clothed with the highest authority, invested with the noblest prerogatives—titles of divine origin, of apostolic succession —prince of the Church—father of the entire flock, priests and laity —Ruler in the House of God—placed in Rochester as Titus was in Crete—"to set in order all things, and to ordain priests for every town and city of your Diocese, to watch the whole flock wherein the Holy Ghost hath placed you as Bishop, to rule the Church of God which He has purchased with His own blood."

The wisdom of the Holy See in selecting you to fill the important office of first Bishop of Rochester is beautifully exhibited. After years of toil in priestly labor, attending to the wants of a people thinly scattered over a country now thickly populated by Catholics, you assumed, at the call of your Ordinary, the building up of a literary institution, widely known throughout the country for its beauty of location, for the high order of education imparted therein, and for the scholarly refinement of its pupils. Its effects are seen even at the distance of Rochester, and our most respectable Catholics entrusted to your care the education of their sons. With a record so glorious for priestly virtues, for solid and profound acquirements, a patron of arts and science, with wise and prudent administrative abilities, we look on our future in your hands as wisely and securely protected. Our prospects are encouraging, relying on such a well proved record, and we anticipate, with God's assistance and the prayers of the Immaculate Queen, happiness and success.

You are meeting a clergy both regular and secular, well trained in duties of missionary labor, whose priestly conduct is acknowledged by all with whom they are surrounded, whose success in building churches, schools, asylums, and hospitals furnish one of the very best proofs of a sacrificing spirit, who will hearken to your voice as children to a parent, as priests to their Bishop.

You are meeting a laity, second to none in the country for refinement, their social condition, and best of all for their practical Catholicity.

Every village and town of your Diocese has its neat church, with the cross—the beacon of faith and hope—surmounting its summit. Your Episcopal City is studded all over with elegant churches, educational institutions, asylums for the orphans, and an hospital where all kinds of human sufferings are alleviated by the nursing hands of the Sisters of Charity. With such prosperous beginnings, under your wise and prudent administration, what bright and glorious prospects do these shadow forth? Encouraged by these facts, how warm does the Catholic heart greet you today? Then in the name of the people of your Diocese, of the citizens of Rochester, we welcome you! In the name of the American people, we welcome you! In the name of the German people, whose memories are

enriched by the love they always manifested for their Bishop in their Fatherland, we welcome you! And last, not least, in the name of the children of Ireland, the sons and daughters of St. Patrick, whose love, reverence, and respect for episcopal authority is proverbially known, we greet you with their own, rich, whole-souled thousand welcomes, "Cead meille faltah."

Bishop McQuaid, in reply, promised to give all his energy to promote the religion and welfare of his people, even as his saintly predecessor in the Diocese of Buffalo, Bishop Timon, had done. The procession was now reformed, and the Bishop was escorted through decorated streets to St. Joseph's Church, where he addressed a large German Congregation, assuring its members that he would prove himself Bishop of all his flock, no matter what the nationality.[9] From the very beginning, he stood for "the broad liberality of treatment which freely grants to all large groups of Catholics the privilege of a church under a pastor of the nationality to which they belong, gives all the opportunity of having the Word of God in the language familiar to them from childhood and of enjoying church customs, music and ceremonies, peculiar to their native province, but not objectionable to established rule and discipline."[10] Bishop McQuaid was then taken back to his residence on Frank Street, where Mr. Patrick Barry welcomed him in the name of the Catholic Laity, pledging support to every good undertaking of the new Bishop.

Rt. Rev. Bishop McQuaid.—I have the honor on behalf of the Catholic Laity of Rochester, to tender you a sincere, heartfelt welcome as our Bishop—the first Bishop of Rochester—and to pledge you our cordial co-operation in the performance of every good work you may undertake.

Your arrival here, Rt. Rev. Bishop, is a great event to us, marking the progress of the Catholic population and institutions here. About a quarter of a century ago, we had here but one small church and one priest. Today we have ten churches, mostly new and fine buildings, each having a large congregation, some very large; three orphan asylums, a noble hospital, many schools and academies as good as any in the land, besides other institutions and a population of at least 25,000 people.

This will convince you, Rt. Rev. Bishop, that the Catholic population of this city, though in humble circumstances, have responded liberally to the calls of religion and charity. I am sure, sir, you will find them in the future, as in the past, cheerful givers in proportion to their means.

In alluding to what we have done, which I hope I do not in a spirit of egotism, it would be improper not to make a just acknowledgement of the influence exercised by our beloved and lamented late Bishop Timon, whose shining virtues, wonderful zeal, and simplicity of life endeared him to every Catholic heart that knew him, and won for him the respect, esteem, and admiration of non-Catholics.

Nor should I omit mention of the part performed by our faithful and zealous clergy in building up the institutions I have alluded to. Their works speak for themselves and are their best eulogy.

I will not detain you longer, Rt. Rev. Bishop, but I will bid you welcome, thrice welcome, and may your administration in this diocese be productive of the happiest results to Catholicity and to yourself personally.[11]

Both Father Early and Mr. Barry labored to impress the new Bishop with the past achievements of the Clergy and Laity in the region now comprised within his jurisdiction. The ten churches mentioned in the City of Rochester comprised four Irish and five German churches, besides one French church. This was indeed quite an increase from the one church that ministered alone to the Catholic population till 1836. The school situation was by no means so satisfactory. The *Catholic Directory* of 1869 mentioned two schools in connection with St. Patrick's Church; St. Patrick's Girls' School was attended by 50 pay and 62 free pupils, and St. Patrick's Boys' School had an attendance of 103 pay and 90 free scholars. The Sisters of Mercy at St. Mary's Church conducted a Select School with 36 pupils and a parochial school with 100 pupils. No school is mentioned in connection with the other Irish parishes. This gives a total school attendance of only 441 in the Irish Catholic schools. The parochial school system was better organized in the German Parishes. St. Joseph's Boys' School had an attendance of 460, and St. Joseph's Girls' School 480, Holy Redeemer's Boys' and Girls' School 230, St. Boniface's Boys' and Girls' School 230, St. Peter's Boys' School 256 and St. Peter's Girls' School 260, Holy Family's Boys' and Girls' School 240. This made a total of 2,056 pupils. Bishop McQuaid had probably a fair knowledge of this situation from the previous Directory, but he tactfully refrained from any allusion to it at the time of his reception. Of course, he knew, before he came, that the Diocese was very small and numbered only thirty-nine priests.

Nevertheless, much had been accomplished, even though much remained to be done. Two days after his arrival, he wrote an interesting letter to his successor in the presidency of Seton Hall, Dr. Corrigan:

> Your letter came duly to hand.
>
> Every now and then, my heart feels like sinking within me. No doubt, *friends* will be found in time. In one sense, I am surrounded by friends, but they are after all only strangers.
>
> When the work begins, I shall have little time to think of anything else. Already I have made a beginning and shall soon find enough to do.
>
> Father Doane and the papers can give you a better description of my reception than I can myself. It was large, well-organized, and enthusiastic. My visit to the German Church has brought all the Germans to my side. I am sorry that I cannot speak their language.
>
> Tomorrow I am to bless the corner-stone of a new church. One of the Evening papers has a letter from a correspondent abusing us in true puritanical style for "desecrating the Sabbath, etc." Poor people! The sooner they learn that others have rights as well as themselves the better.
>
> Your draft of letter can easily be made to answer my purpose.
>
> You may come across some books or papers that you may think I may need; please to place them to one side until I pay you a visit.
>
> Be of good cheer, my dear Doctor! You will begin with a fine school, and I promise you, with God's help, splendid success. Do not worry or be frightened at difficulties. When you cannot ride the waves, let them break over you; they will do you no harm.
>
> Give my kindest regards to all my friends in the College and around S. Orange; it would be too long a string to name them. As I entered my new home, the bands playing "Home, Sweet Home", my thoughts were more with other friends than with the ten thousand that then stood before me.[12]

Narrowness of view was not confined to the case referred to by Bishop McQuaid in the correspondence published in the newspaper. In fact, another manifestation of it was occasioned by the reception given to the new Bishop on his arrival. Mayor Fish had received an invitation to it with a request to extend the same to members of the Common Council. The Mayor had duplicates of the invitation made and sent to the aldermen. Some of these drew up the following petition:

Rochester, July 10, 1868.

To the Honorable Henry L. Fish, Mayor of Rochester:

As a communication from the Rev. James M. Early has been extended to the Common Council, requesting their participation in the reception of the Rt. Rev. Dr. McQuaid, first Bishop of Rochester, the undersigned members of the Board would most respectfully request that you call a meeting of the Common Council on Thursday, the 13th inst., for the purpose of making preparation to attend the said reception.

JOSEPH QUALTROUGH	WM. RATT,
JOHN P. ROCHE	C. A. JEFFORDS,
JOHN MAUDER	P. CAUFIELD.

The Mayor did what he was asked to do, as it was his duty to call a meeting on written request. The Republican papers at once took advantage of the occasion to make an attack upon the Democratic Mayor.[13] Here politics and religion became mixed issues. However, this caused Bishop McQuaid little trouble in comparison with a grievance he had from another quarter.

If Bishop Timon had failed to land his own candidate in Rochester, he succeeded, however, in restricting the limits of that Diocese to such an extent as to furnish Bishop McQuaid with ample reasons for complaint. He wrote on this account to Archbishop Spalding, December 18, 1868, for an explanation.

Can your Grace account for the change in the division of the Diocese of Buffalo that was made after the limits of the new Diocese of Rochester had been determined by the Bishops of the Province of New York in their private meeting during the Plenary Council? It seems that two counties, that were to form a part of this Diocese and that had been so fixed by the Bishops of the Province, as appears from the notes of that meeting kept by the Archbp. of New York, were left out without the knowledge of the Bishops of the Province. The division of the Diocese as intended was bad enough; as made is much worse. I inclose a small map of the State of New York, from which you can learn the boundaries of the two Dioceses of Buffalo and Rochester, and see the blunder that was made. In that meeting, it was agreed that Schuyler and Tioga counties should form a portion of the Rochester Diocese; the Archbp. wished to give Chemung also, but as the late Bp. Timon objected to the loss of that county, it was not insisted on.

The injustice of the division is all the greater, as the City of Buffalo alone has nearly as many Catholics as my whole Diocese.[14]

Two days later Archbishop Spalding replied: "The boundaries of your Diocese were furnished to me officially by your Metropolitan, as you will gather from the enclosed letter of his, after I had found some discrepancy in the notes of the Council. Please return it after you will read its contents. As this division was sent to Rome & then officially acted upon, your only resource is to ask a change through a petition of your next Provincial Council, which I suppose will be held next spring. I have no doubt Rome would do what you ask."[15] After the perusal of Archbishop McCloskey's letter, Bishop McQuaid had to confess:

> It is clear that he accepted the division of the Diocese as presented by Bishop Timon, although a different division had been agreed upon in the meeting of the Bishops of the Province. The division is so unjust that I shall deem it my duty, in justice to the Diocese of Rochester, to labor for a change. I have not heard anything of a Provincial Council, but I hope that it will be held in the Spring.
>
> The work on the new Cathedral in Rochester is progressing, and we have reasonable hopes of occupying it in two or three months. A Bishop's House, large and commodious, was begun in October, and, with God's blessing, will be completed in twelve months' time.
>
> I shall postpone our Diocesan Synod until the completion of the two buildings. In the meantime, we can learn wisdom of our elders.[16]

Despite all, Bishop McQuaid did not push the correction of the blunder during the life-time of Bishop Ryan. He did not act in the matter even when he was convinced of the latter's connivance at the open and covert attacks upon himself within the Buffalo Catholic paper. These became so persistent in the course of time as to make Bishop McQuaid feel justified in absenting himself from the Silver Jubilee of Bishop Ryan's episcopate. He declared on the occasion: "Of course I am not going to Buffalo. His organ had a most outrageous attack on me a week or two after the 12th of July regarding the celebration. Nor have past insults ever been atoned for. Even Saints cannot do such things with impunity. I shall make no pretence of having something else to do on that day. I hold Bp. Ryan responsible for his tool's work."[17] The 12th of July was the anniversary date of Bishop McQuaid's own consecration. While he allowed his own case to go into abey-

ance, he was pleased to see how another blunder was corrected elsewhere. Thus, he wrote Bishop Corrigan of Newark, August 16, 1877: "The Pittsburg arrangement had already appeared in the papers. There could scarcely have been any other ending to it. Perhaps when I propose a rectification of my lines, my proposition may receive more favor on account of the other decision."[18] This case was the division of Alleghany as a separate See from the Pittsburg diocese with disastrous results. When Bishop Domenec, who had been transferred from Pittsburg to Alleghany at the time of the division, resigned, the Holy See, August 3, 1877, entrusted the administration of Alleghany to Bishop Tuigg of Pittsburg. Later the new See was totally suppressed. Bishop McQuaid was also bound not to allow other mistakes, like the Rochester blunder, to be made if he could help it. He showed this determination at the creation of the Syracuse Diocese, although he had been suspected unjustly by Bishop McNierney of Albany who thought that Bishop McQuaid was looking for a slice of the diocese. However, the Bishop of Rochester insisted: "What is needed and quickly is a Bishop at Syracuse. I will not force my opinion on Rome, but if questioned by superiors, I will give satisfactory reasons."[19] Even as early as November 1, 1880, Bishop McQuaid believed that "this division should have taken place years ago. Religion is of more consequence than individual bishops."[20] When the order finally came from Rome to provide for the division and the naming of the candidates, Bishop McQuaid wrote to the Metropolitan of the Province, February, 1886: "I will give no consent to a scandalous division, such as in this of Rochester and Buffalo. Very few bishops would keep from bringing the Rochester division before Rome for alteration. Whenever either I or my neighbor goes to heaven, you as Metropolitan will have to see to the rectification of the boundary lines between Buffalo and Rochester."[21] Bishop Ryan died April 10, 1896, and January 19, 1897, Bishop McQuaid was able to write to his Archbishop:

> I received yesterday, through the Apostolic Delegate, the Papal Brief separating Steuben, Chemung, Tioga, and Schuyler counties from Buffalo and annexing them to Rochester. I have already notified the Adm. of Buffalo and the priests of the annexed districts, and will meet them on Thursday at Corning, when the Pope's letter will be read to them. My impression is that, as soon as this is

done, the Delegate will send Quigley his Bulls. I infer this from the urgency recommended by the Delegate and his wish that I inform him immediately after performing these official acts. At last a great blunder has been righted. It would have been more to the credit of the late Bishop if he had himself brought about this change.[22]

Small as his diocese was with its thirty-nine priests, it was not too small for the brewing of more than ordinary trouble the very first year of its existence. Auburn, the only other city in the diocese besides Rochester was the storm center, and the priest, Thomas O'Flaherty, was the cause of the trouble. He had been reinstated in his former mission of Holy Family Church, Auburn, by Bishop Timon of Buffalo after a two years' suspension, during which time he lived as a layman. After an examination of the Buffalo records, Bishop Ryan informed Bishop McQuaid: "I have not looked over all the papers of good Bishop Timon, nor have I time to do so. I have seen enough to know how sorely Rev. Mr. O'Flaherty tried the Bishop's patience, and how excessively forgiving Bp. Timon must have been to give him any post in his diocese."[23] Bishop Timon, no doubt, had faith in O'Flaherty's protestations of penitence for the past and of firm purpose of amendment for the future. He was deceived, although he took the pains to send his own Vicar General, Father William Gleeson, "with O'Flaherty to Auburn to sustain him before the people, for, on that occasion, there was an uprising of the congregation to keep O'Flaherty from becoming their Pastor."[24] When Bishop Timon died April 16, 1867, the see remained vacant till the arrival of Bishop McQuaid in Rochester, July 16, 1868. Meanwhile, great trouble developed in that parish of Auburn. The horrible condition of affairs is best seen from Reverend Dr. M. J. Loughlin's account of the unfortunate priest's conduct in the letter addressed to Reverend Wm. Gleeson, May 4, 1868:

Yesterday F. O'Flaherty at last mass spoke in the most scandalous manner to the people of the crimes of priests. Among other shocking things, he said that about 13 years ago a certain F. Loughlin committed the most atrocious crimes here in Auburn, "*in the very sanctuary itself,*" crimes for which he would have been sent to States' prison, had not he (F. O'F.) had him removed from Auburn by the Bishop. The people, as was to be expected, were horrified, many stood up and left the Church; and then F.

O'Flaherty said that some of them, naming them, were going to get a "horn", and other of them, naming them too, were only "bags of dirt", and the more of them left the better. He said also that F. Loughlin was now in hell together with those that abetted him. The greatest excitement exists here at present. The Yankees many of whom were in the Church when he spoke in this scandalous manner, say that they want to procure "tickets for the season", that they would rather hear F. O'Flaherty preach against Nuns and priests than to go to any theatre. You know that he attacked the Sisters again in the most barefaced manner two Sundays ago. Now mind, I can take my affidavit as to the truth of what I have stated, shocking as it may appear. I was present and heard him myself. The people said they could bear to hear themselves called vipers, hypocrites, whited sepulchres, &c., or even to hear the Sisters abused, but to hear him speak of their priests worse than the Protestants themselves, they couldn't stand that, and would not bear it any longer. I have used all my influence with them to pacify them and prevent any more scandalous meetings, as you directed. I prevailed with them not to hold an election of trustees, as they had threatened, and even yesterday, when the whole city was in uproar, I begged of them to keep quiet, that the enemies of our religion were only laughing at us, and they would only make the matter worse, to await patiently till a Bishop comes, and then whatever grievances they have, they can present them to him. But even this will hardly avail with them this time, for F. O'Flaherty has boasted that his Grace of N. Y., and the Bp. elect were both his special friends, who will crush the people and maintain him in all his doings. F. O'F. said yesterday that he was as firm in Auburn as the Church itself; he was the "rock" that could not be removed, that he was the only good priest ever sent them, and "all the devils in hell couldn't move him"; those are his very words. Perhaps of all those who were listening to him yesterday, there were not one hundred who ever knew or saw that F. Loughlin, and even they never heard of him giving scandal in Auburn. The greater part of the Congregation, composed of ignorant people who never take up a story right, thought he was speaking of me, as bearing the same name, but all those of any perception could easily see that the whole harangue was intended for my benefit. He even said that they may have another "repetition of that F. Loughlin's crimes within one year." Wasn't that plain enough?

I felt it my duty as a priest of God to acquaint you of this scandal in order that, if you have any authority still left in this part of the diocese, you may put a stop to such proceedings in the future.[25]

Father William Gleeson could do nothing in the case. The Council of the Buffalo Diocese had already investigated the

trouble and reported to the Metropolitan. However, Archbishop McCloskey had refused to act, explaining his decision to Father Gleeson, January 23, 1868:

> I have received your favor of 20th. inst. with copy of testimony taken by yourself & Rev. Mr. Moore in the case of Rev. Mr. O'Flaherty at Auburn. After reading the testimony attentively, I must confess that it has not led me to the conclusion that Rev. Mr. O'Flaherty should be removed. If he has desisted from the attempt to establish other so-called Sisters with a view of superseding those who were already in possession, the main point has been yielded. He is censurable for speaking as he did to his congregation, but may it not be that one or two of the Sisters are *not* competent teachers? Is not the Pastor a fitter judge than the people, & would it be wise or safe to subordinate the Pastor either to the people or to any religious community in the matter of control over parochial schools? If for the reasons alleged Rev. Mr. O'Flaherty should be removed, what should be done in the case of Elmira, where more serious complaints have been made to you & me & to the Ecclesiastical Superior in France?
>
> But apart entirely from the merits of the case as it now stands, it would not be proper, unless under great urgency, to make the removal in question, as it is quite certain that a Bishop of Rochester has been appointed by the Holy See, at the same time with many others, & although the official documents have not yet arrived, they are expected by every steamer. It seems to me, therefore, that it will be more proper to allow Mr. O'F. to be dealt with by his future Bishop.[26]

When Bishop McQuaid was consecrated, Archbishop McCloskey handed to him all the documents in the case. He also judged "it better to give O'Flaherty another chance. I ignored the past, resolving to condemn, if necessary, only on the record he might make under my administration."[27] Bishop McQuaid even made every effort to help O'Flaherty out of the rut, in which he was held by his own perversity. Bishop McQuaid later publicly reminded the people at Auburn of this:

> You all remember the trouble in this city that met me when I came into your midst as Bishop. Fighting, contention, angry feelings, public meetings against the then pastor, persecuted Sisters of Mercy, disorder and disgrace in the place—these constituted my first welcome to Auburn. For months before, the story of your troubles, then as now, over telegraph and through the press, had travelled through the country, and my friends pitied me that I had been made Bishop over congregations that could rebel against their priests—for that was the character that the troubles had

taken. I came here, therefore, trying to find the way out of the difficulty—the errors and blunders on every side of each and every one concerned in the trouble—covering over the mistakes of the pastor and seeking to give him a chance to enter again on a new career in his own church, removing his assistant, removing the Superior of the Sisters of Mercy, conceding almost everything I could, forming a new parish, saying to the injured laymen who claimed their right to their pews in the Church of the Holy Family, for peace's sake, go sacrifice your rights, and in your new church worship your God in peace.

The parish had been divided August 20, 1868. At first this was productive of good. Bishop McQuaid himself declared: "For a while, it looked to me as though the almost impossible feat of bringing the pastor of the Church of the Holy Family to a sense of right and justice to those Sisters and to those people would be possible."[28] The good prospect was shattered within a short time, as Bishop McQuaid soon had the proofs of O'Flaherty's unfitness for the ministry: "Bad temper and public abuse of the laity in the church, wrong use of the church moneys, refusal to pay the Sisters of Mercy their salary as school teachers in the parochial school in the hope of driving them from the parish, and gross immorality."[29] Nevertheless, Bishop McQuaid was anxious to avoid all semblance of haste in his measures against the priest. He waited "four months quietly, patiently, opening my lips to not one soul in the world, allowing no one, priest or people, to say a single word in disparagement of Father O'Flaherty." Finally, most damaging evidence was given against himself over his own signature by O'Flaherty, who submitted to the Bishop, at the beginning of January, his financial statement of Holy Family Church, Auburn, from January 1, 1868, to January 1, 1869:

RECEIPTS

Pew rents	$2,989.12
Sunday collections (Treas. Report)	255.00
Cemetery	97.00
Donations	
Extraordinary collections	
	$3,341.12

EXPENDITURES

Pastor's salary	$ 600.00
School Teachers' salary	

Sexton's wages	175.00
Ordinary church expenses	700.00
Improvements	450.00
Amount of debt paid	1,552.00
Insurance	200.00
Choir	200.00
Extras	1,509.99
	$5,446.99
Expenditures over receipts	$2,105.87

In "Extras" are included interest and Assistant's salary for 10½ months.

DEBTS OF THE CHURCH

Mortgages $12,600.00

Floating debt, all paid, except what is due to the Treasurer, he having advanced some to pay off the floating debt.

Deposits, (when permitted), a list to be enclosed..... None

The above is a true statement.

THOMAS O'FLAHERTY, Pastor.

A month later O'Flaherty came to the Cathedral House in Rochester and informed Bishop McQuaid that the Auburn Bank demanded payment of the mortgage it held against the Church. The President of the Bank had, in fact, said to O'Flaherty that he would be obliged to demand the principal itself, if the interest, which had not been paid for over a year, was not obtained. Bishop McQuaid, who had carefully studied the financial statement, now took O'Flaherty to task for his expenditures:

> I found that $200 were charged as the premium upon the insurance of the church, the dwelling, the school-house, and the Sisters' House. $200, I remarked, is one percent. Yes, he replied, the rate is high in Auburn. The Board of Underwriters settled the matter, and we cannot help it. I then said to that gentleman, you will please send me the item—the particulars of these large charges. I was surprised to see $700 charged for ordinary church expenses—surprised to see $450 charged for improvements. I was not aware that any improvements had been made upon the property. I was surprised to see that $1,552 of the debt had been paid, when I was under the impression that all the church owed was two mortages—one of $5,000 and one of $4,000. I wanted him to send me an account of this debt to the amount of $1,552 which he had paid. Then I found $1,509.99 charged as "extras". I could not understand what "extras" meant—not at least to that amount, and I wanted to know the items of the $1,509.99. He states, as you will notice in the printed circular, that there are included in the extras interest

and the Assistant's salary for ten and a half months. I remarked that the Assistant had not been with him for ten and a half months in the year 1868, and I did not want 1867 and 1868 joined together in that manner.

When Bishop McQuaid interviewed the Assistant, the Rev. Dr. Loughlin, he discovered that O'Flaherty had paid him only $150 since January 1, 1868, and "that his board for the three or four months that he was unable to live with the pastor had to be paid out of his own purse." Besides, the last financial statement of O'Flaherty's predecessor, five years before this, showed the indebtedness of the Church to be in all $9,000 mortgages and $1,067 floating debts. As no improvements had been made since, as the parish of the Holy Family before the division had been, "if not the ablest, the strongest and the most numerous in the Diocese, second only to that of the Cathedral in Rochester," Bishop McQuaid could not understand how the mortgages on the Church property had been raised to $12,000, how the Pastor had paid off $1,552 the past year, and how the Church owed the Pastor $2,105.87 at the expiration of the year for floating debts that he claimed to have paid out of his own pocket. This state of affairs was not due to a lack of financial ability, for O'Flaherty had been eminently successful in accumulating mortgages and a farm for himself. When the Bishop's demand for an itemized statement of these large expenditures was ignored, he finally made up his mind to act in the case, but even then he first consulted the Superior of the Redemptorists in Rochester, "one who never had dealings with Father O'Flaherty and was in no way mixed up with his previous troubles, who could give me calm, and just, and prudent advice, upon which I might, with certain confidence, rely." Bishop McQuaid took his advice. Sunday evening, February 14, 1869, he wrote three letters—one to the priest of Penn Yan, promoting him to Seneca Falls, one to the priest of Seneca Falls, promoting him to Holy Family Church at Auburn, and the other to O'Flaherty, directing him to Penn Yan. The letters were mailed Monday morning. O'Flaherty claimed that he never received his letter, but "Tuesday evening, at six o'clock, in a very mysterious manner, the fire broke out in the organ of his church." As soon as the news reached Bishop

HOLY FAMILY CHURCH, AUBURN, N. Y.
Built in 1861

ST. MARY'S CHURCH, AUBURN, N. Y.
Cornerstone laid September 18, 1870

(By the courtesy of The Catholic Journal)

McQuaid, he telegraphed to the newly appointed pastor, Father Kavanagh, to take charge of the parish at once. Later the Bishop had a letter delivered in person to O'Flaherty, removing him from the pastorship of that church; he sent him another, demanding the books and the accounts of the church. These letters were received in a way that made Bishop McQuaid look for the best in the settlement of the trouble, as he publicly informed the people later: "His promises were fair enough, and until Saturday evening we had the consoling hope that a priest who seemed to be forgetting his duty would return to his senses, obey his Bishop, and not compel me to suspend him."[30] Meanwhile, a Card was published in the public press of Auburn by O'Flaherty, declaring that he was not going to leave Auburn for any other place, that he was like the sturdy oak, deeply rooted in Auburn soil, and "deepest when most shaken by the storm," that he would retire to private life and the happiness of his humble country home, when it pleased Divine Providence."[31] The Card became the occasion for the display of a violent disposition in the personal following of the removed pastor. Father Kavanagh, therefore, sent the Bishop a telgram on Saturday, informing him of the danger of a collision on Sunday morning.

> My answer was that I would be here by the 6.45 train of that evening. And I came to your city—not of much consequence perhaps myself, but still your Bishop. You have heard of the reception tendered to me that night at half past ten o'clock. About one hundred and fifty men of your place were there; with yells, and shouts, and cries, only stopping short of laying hands on me, that crowd followed me through the streets after the sleigh in which I was driven to the house of the pastor of this church [St. Mary's], and for one half hour made night hideous with their foul and wicked language and their dreadful shouts.

The next day Bishop McQuaid had Father Kavanagh go to Holy Family Church to say Mass. He himself said Mass in St. Mary's Church, but promised to come to the other church at eleven o'clock and speak to the people. Bishop McQuaid reached the place earlier than he had set and has described the scene that met his eyes that Sunday morning.

> There, in that basement—as we were unable to use the church above on account of the fire—there the storm was raging, and out-

side were those who had fled in fear, shocked at the scandal that had taken place. Cries went up to me to hasten in and save the shedding of blood. Ordering them aside, I entered the door. There stood the priest vested for mass, and at his side was the suspended man, and before them was the same organized mob of the night before. They have told you that they meant opposition only to the priest that I had sent, and when I took my stand there, Mr. O'Flaherty did say: Be quiet, we must love and respect our Bishop; but, strange to say, all his friends—the same crowd that met me at the depot—shouted and gesticulated the more as he called upon them to be quiet! No one mistook the meaning of his calls for patience and forbearance . . . . . .

I first, dreading danger and a conflict,—for some there were armed, and we can prove it—, begged all good Catholics, as most of them had done, at once to leave the chapel. Again the shrieks of this infuriated mob were heard. When silence was brought about with some trouble, I announced to the people present that I could not permit the Holy Sacrifice of the Mass to be profaned in such a presence, under such circumstances, and that no Mass shall be celebrated in that church that day, and I commanded the priest to take the vestments from his back. Then up went the cheer—the exulting shouts of Catholics that no Mass was to be said! They thought they had gained a victory. Yes—evil spirits may have rejoiced, but the angels in heaven did not. When again the cheers of victory had subsided, I announced, that there might be no mistake, as my letters seemed to have no effect, that I had that morning suspended the Rev. O'Flaherty, and that he dare not say Mass there or anywhere else.[32]

Bishop McQuaid then left the Church with Father Kavanagh, and the malcontents, under O'Flaherty, organized a meeting, at which a Committee was appointed to wait upon the Bishop. The latter informed Archbishop McCloskey that "the delegation was composed of the very men who had hooted me the previous evening at the depot and through the streets, and who had on the following morning refused to permit the celebration of Mass, and had acted like madmen in my presence. The object of the delegation was to effect a compromise; that is, they were willing to receive a priest that would suit them. When they made their appearance at Father Maher's house, in formidable array, some twelve or fifteen in number, marching two & two in great solemnity, I opened the door myself and simply motioned them away, without speaking to them."[33] O'Flaherty gave his version of Sunday's proceedings in the *Auburn Morning News* of the next day,

and so was able to get his story into a dispatch of the Associated Press, which made the following statement in regard to the meeting of protest:

> Over one thousand Catholics assembled, and passed a series of resolutions, declaring their determination to stand by their old pastor, strongly condemning the action of the Bishop, and expressing their determination to submit no longer to the abuses of what they called one man power in the United States, but to appeal at once to the ecclesiastical authorities of this country, and, if necessary, to Pope Pius IXth.
>
> Addresses were made by influential Catholics sustaining the resolutions, which, on a vote, were adopted without a dissenting voice. Further trouble is anticipated, as the meeting resolved that the new pastor should not be permitted to occupy the parsonage.[34]

This spread the news throughout the country in a way so that "the whole secular press was dead against me." However, the *Rochester Union and Advertiser*, February 25, 1869, prudently admonished its readers:

> Like all church quarrels and all other quarrels, there are two sides to this Auburn quarrel, and but one side has yet been heard before the public. This is owing, as we learn, to the determination of the other side not to engage in newspaper controversy, but to wait the proper time and then make a calm and concise statement of facts.
>
> It is a fact, perhaps not improper to mention in this connection, that Rev. Mr. O'Flaherty has never been distinguished for a very happy faculty of getting along smoothly with his ecclesiastical superiors and brethren. The "saintly Bishop Timon", to whom he refers in his card, twice suspended him for cause from the exercise of his ministerial functions—once while he was in this same church at Auburn, and once while he was pastor at Geneva. The occasion of the latter suspension was the publication by Mr. O'F. of a letter over his own signature, not particularly clerical in style, pitching into a brother clergyman, and which we printed in the Union at his special request. Those of the public who take any interest in this present affair would do well to withhold judgment until the facts are all in.

The Monday after the disturbance in the Church of the Holy Family, Bishop McQuaid ordered Father Kavanagh to have five of the ringleaders arrested for disturbing religious worship. The warrants were issued, and a Jury was summoned to try the case. The defense claimed that majorities

had the right to govern and express their preferences, that a religious meeting could not disturb itself, and that the law meant only to protect a religious meeting from disturbance by others. The Jury was out only five minutes and returned a verdict of NOT GUILTY for the defendants.[35] Bishop McQuaid's comment on this was given to the Auburn people:

> You know the result of the trial. You know the profound wisdom—the clear, and sharp, and brilliant logic of the lawyers who defended those rioters, and how, under such brightness of intellect, the jury were able to say that these men were not guilty of disturbing religious worship. Of course, the verdict was a just one! For the six jurors were on their oath, and we bow to the justice of their verdict! But *we* stood there—*we* saw the crime, *we* know what the law says, and I am inclined to think that the whole community do not believe that these six jurors were infallible in their verdict.[36]

Bishop McQuaid must have obtained considerable satisfaction from a Card that appeared in the *Auburn News*, signed by twenty-four of the leading members of the Church of the Holy Family. These men protested that the statement, published and "quite generally believed by those not understanding the matter," according to which the Catholics of the parish were opposed to the Bishop for the removal of their late Pastor, was incorrect. They stood by the Bishop, and they left their declaration to that effect at the Stores of Joseph Anderson, Captain Peter Swift, Captain Owen Gavigan, John Hickey, and James Purdy for the signatures of the loyal members of the Church of the Holy Family.[37] The following announcement was, therefore, inserted in the *Auburn Advertiser:*

> Divine service will be held in the Church of the Holy Family on Sunday, Feb. 28th, at the usual hours, by the Rev. Martin Kavanagh, the regularly appointed pastor of said church.
>
> B. J. McQUAID,
> Bishop of Rochester.[38]

Saturday Bishop McQuaid "was assured that there would be no trouble—that the officials, who would be there, would be sufficient to preserve order." Sunday morning Bishop McQuaid and Father Kavanagh went to the Church of the Holy Family, but divine service had to be omitted again, as Bishop McQuaid explained to the people:

> Mr. O'Flaherty came into the sacristy. I told him he could not be there. He followed me into the sanctuary and claimed the right to be there—claimed more right to be there than I had. I told him that, if he was to stand there in the sanctuary, the Bishop could not be there, and that neither I nor my priest could stand there with him. Persisting in his intention, I simply explained to the people that there could be no mass there, as I intended to have none of the trouble of the previous Sunday, and would retire, which I did.[39]

A reporter of the *Rochester Union and Advertiser*, who was present, later stated that the adherents of O'Flaherty, "who seemed to be an organized crowd in the body present," shouted and gesticulated in his behalf, when he refused to leave at the request of the Bishop.[40] The latter made no mention of this in the account that he gave of the whole trouble, in St. Mary's Church, that same Sunday morning. He then put the condition of things plainly before the public.

> I know that the vast majority of that congregation are with their Bishop, and that, if I had chosen to resort to public meetings and the machinery of wire-pulling, there would be a different story to tell from the beginning. But it is not for a Bishop to descend to such means. He appoints the priests, and if you do not want them, it is your duty to make the Bishop understand that. But when he has appointed his priest, no other can possibly come to you. Now we must leave this matter for settlement by that parish itself. If they disapprove of what has been done, they must take up the matter themselves and bring about right, justice, and order in their parish.

This meant that there would be no Mass in the Church of the Holy Family until Father Kavanagh was "permitted to go there and carry on divine service according to the established rules of the Catholic Church." Although Bishop McQuaid exposed O'Flaherty's mismanagement of the parish affairs and his ill-treatment of the Sisters of Mercy, to explain to the people his action in the case, he declared that "there are reasons weightier far than any I have given you, which the Rev. Thos. O'Flaherty can hear when he chooses to come before the ecclesiastical council of the Diocese of Rochester, his brother priests, then and there to stand his trial for graver offenses than these."[41] Bishop McQuaid explained to his Metropolitan: "In removing him to Penn Yan, I knew that he would disobey me, and that it would be preferable to sus-

pend him for disobedience rather than for other crimes."[42] Many years later Bishop McQuaid declared to the Apostolic Delegate: "I followed this course against my own judgment, but at the advice of the superior of the Redemptorist convent in Rochester, a man of great learning, piety, and prudence."[43] A man of O'Flaherty's character was not fit for any parish, and the culprit was sharp enough to see the chance to make capital, before the public, out of the appointment to Penn Yan. Meanwhile, he had given out the information that on Wednesday he would "retire to quiet and solitude in his humble country home for his health, for his interests, and to perfect his literary arrangements." He continued, however, to occupy the parochial residence at the request of his adherents, who were determined not to accept the newly appointed pastor. Yet he claimed: "My congregation were perfectly aware that I had made my arrangements to move and leave for home immediately, just as soon as the present business affairs of the parish were completed." At the parochial residence, therefore, was written O'Flaherty's *Refutation* of Bishop McQuaid's sermon in St. Mary's Church. It was delivered before his adherents on Sunday, March 11, 1869, by the suspended priest in the school house attached to the Church of the Holy Family, and then published in the daily press. O'Flaherty branded Bishop McQuaid's charges as lies or distortions of facts, and retaliated by countercharges and insinuations of wrongdoing on the part of Bishop McQuaid "in his checkered career from the streets of New York" to his present position of Bishop of Rochester. O'Flaherty pointedly referred twice to the "immense liens and mortgages with which he encumbered Seton Hall, I suppose legitimately," brazenly asserted "that a certain female of this city, (who was refused a pew in the church of the Holy Family), over four months ago and frequently since boasted to several persons, (who stand ready to establish the same by proof), of her friendly and, (I suppose), innocent intimacy with Bishop McQuaid, and that he promised her to remove Father O'Flaherty," and, finally, told his congregation and the public at large that "all this excitement and trouble and great scandal has been caused by Bishop McQuaid's insane attempts to grasp what he calls "My stocks and mortgages, houses and farms." O'Flaherty claimed not

to be rich, but "what I do possess I shall spend in my own defence if necessary. Millions for defence, but not one cent for tribute!" More astounding than all this was the title that O'Flaherty claimed for holding his parish:

> I am the legitimate pastor of the Church of the Holy Family. I hold my title as dean and pastor from ecclesiastical authority superior to his. When I was appointed dean and pastor in Auburn this second time, I requested Bishop Timon to write to Rome, and according to canonical law, obtain the approval of the Holy See for my position, as I did not wish to continue in that position otherwise in consequence of the contentions and disturbed state of the diocese at that time. Bishop Timon obtained such approval, and hence Bishop McQuaid had no authority to remove without canonical cause, and hence I still hold my position and *title* until the Holy See shall order otherwise.

O'Flaherty closed his tirade against Bishop McQuaid with the hope "that with the sober second thought, superinduced by calm reflection, he may yet become an honor to the Catholic Episcopacy of the United States!"[44] The suspended priest overshot the mark. The *Rochester Union and Advertiser* remarked: "Whatever of question there may have been heretofore in the mind of any one as to the propriety and justice of the Bishop's action in suspending Mr. O'Flaherty from the exercise of the ministry will, we think, be dispelled by a perusal of this speech. It furnished the Bishop's fullest justification. It is a suicidal effort."[45] Bishop McQuaid, March 7, 1869, consulted Archbishop McCloskey, to whom he had sent a copy of his sermon against O'Flaherty:

> He will not ask for a trial, but will go on Sunday after Sunday, reciting the Rosary and preaching to the people, poisoning their minds and gradually breaking down their faith. He has with him about one fourth of the Congregation, more women than men. The men, however, are organized and are of the worst class . . . . .
>
> I write for advice to know if I would be justified, and if you think it advisable that, after an admonition, I should excommunicate him as a promoter of schism and for holding religious services after his suspension.[46]

It was very questionable whether this would have helped any in the settlement of the trouble. At all events, things were beginning to shape themselves so as to make the step unnecessary. Bishop McQuaid, therefore, expressed his

regret at having troubled the Archbishop with his grievances, March 12, 1869:

> Signs were already apparent of the approaching end of O'Flaherty. His discourse on Sunday was so outrageous that his friends are rapidly falling away from him in distrust. Futhermore, they are beginning to find out that he has deceived them shamefully in assuring them of his appointment by the Pope—an appointment superior to mine.
>
> Outside of Auburn, he has no sympathisers among Catholics, and not much among the more respectable Protestants in this part of the State where he is known.
>
> The Parishioners of the Holy Family Church are now moving in the matter, having come to the conclusion that they have been imposed upon long enough. They find, however, a very cunning and desperate foe in O'F. He is spending his money freely in every way in which he thinks it will serve his purpose.
>
> My idea is that he will not trouble Rome; that his sole aim is to annoy me. Fortunately God gives me strength to bear all without fretting. He is rich, I know for certain; rumor makes him very rich. As he remarks in his "refutation", using a popular quotation, "Millions for defence, not a cent for tribute", he will use his money to obtain justice, in truer words, to persecute me.
>
> His agents went from house to house in Rochester, distributing his "refutation", and along the lines of Railroads, leaving it in the cars and at all the villages on the route. This course hurts him and helps me. One of the Rochester papers gave only the milder portions of his harangue in supposed kindness to me. I insisted on the publication of the whole, as my best defence.
>
> Today I received a summons to answer O'Flaherty's complaint against me before the Supreme Court. Knowing well O'Flaherty's character, I protected myself by having a professional reporter take down my discourse word for word. There was not a soul in my audience but was with me in everything that I said; many wept freely.
>
> Every statement in my discourse I am able to substantiate, for I did not even assert that Bishop Timon had suspended him, because I had not the positive proof of it. He lived on his farm for months without going near a Church, and I have a letter written by him to the Bishop, asking to be allowed to say Mass; and the general understanding is that he was suspended for about two years.
>
> You will notice that he asserts openly that he holds his appointment from the Pope.
>
> Yesterday I paid the interest on one of the Church mortgages for *three* half years, which he had neglected to pay. The interest on the other mortgages has not been paid either.

His attempts to blacken the reputation of almost every Priest in my Diocese have been repeated time and again.

Since his trouble began, he tried to induce one Priest to side with him and was met with the answer that he need not look for sympathy from any of them, as he had not a friend among them. He asked this Priest if the Diocese was to be governed by a Prostitute, referring to the same Lady, alluded to in his "refutation". The Lady is a respectable and virtuous Lady, and my intimacy consists in having met her on two or three occasions in the houses of Priests. I do not think that I ever saw her alone and never for any length of time. I have never been in her house, nor do I know where it is; nor have I ever been in the house of any lay person in Auburn.

As he has asked for an investigation of his books by his Parishioners, they intend to take him at his word, but he will be too smart for them.

I shall wait yet awhile before writing to Rome, as I do not think that he will do so at present. Later, no doubt, he will try what he can do in that quarter.[47]

Meanwhile, O'Flaherty was carrying on a campaign of vilification against Father Kavanagh. When he gave notice of sending an appeal in a few days to Archbishop McCloskey "against the rash, unjust, and uncatholic action of Bishop McQuaid," he also attacked Father Kavanagh, March 11, 1869:

He was pastor here before and had to leave by an order from the Holy See just one week after he received his papers from Bishop Timon. He was six months doing duty as my successor in 1856, and in consequence of his course here on that occasion, I complained through the Archbishop to Cardinal Barnabo, and the order came from Rome when Bishop Timon thought that Rev. Mr. Kavanagh was secure in his place, and just after sending him his papers of *permanent* appointment.

He created great trouble here in 1856, and the people will not hear him, for his reputation is publicly known to be bad in this locality. His associations are the lowest and most profligate.

If you advise Bishop McQuaid to appoint another priest in his place, the difficulty would terminate at once.[48]

Unfortunately for O'Flaherty records were still extant to show how unscrupulous he was in fabricating lies of the blackest dye. Father Kavanagh's record in Auburn was unimpeachable. Although only a priest of two years' standing, he had been made temporary pastor there on the removal

of O'Flaherty by Bishop Timon. The work of the new pastor was eminently satisfactory to his Bishop who wrote him, September 2, 1856:

> After much and earnest prayer, I have decided to place you in a situation, in which your talents can be better matured, and you render still greater service to God's Church and to souls redeemed by Christ. Hence I request you to dispose everything, in a day or two, and come to Buffalo next Thursday or Friday at the furthest. The Rev. Touhey will fill the post vacated by the lamented death of Rev. J. Donnelly, but he will be in Auburn next Saturday and Sunday to go on with the Service. Your successor will be in Auburn the Sunday after. It will *not* be Mr. O'Flaherty. With regret for Auburn, I take this step, for I have been much pleased with your conduct, energy, and prudence since you went there. But it is the will of God for His greater glory.[49]

The *Catholic Almanac* of 1857 gives Rev. Patrick Byrne as the pastor of Holy Family Church in Auburn. Father Kavanagh was brought to Buffalo to be the Bishop's Secretary and Chancellor. He replaced O'Flaherty a second time when the latter was removed from Elmira. He had also been Pastor of St. Patrick's Church in Rochester at one time. Bishop McQuaid "had never heard a word against him before sending him to Auburn."

> Everything about his Church, his Children, financial affairs, etc., at Seneca Falls, was exceedingly satisfactory. Apart from O'Flaherty's opposition, there were some few opposed to him on account of some previous difficulty which he had in Auburn. So far as I can learn, he was not to blame in the affair.
>
> I sent Father Kavanagh to Auburn in good faith, promoting him, as I believed, for his good conduct and his merits during my administration. The clamor raised against him proceeds principally from O'Flaherty and his partisans. I could not in conscience sacrifice him to the slanders that have been heaped upon him. O'Flaherty's insinuations against him and against me have been infamous.[50]

O'Flaherty addressed his Appeal to Archbishop McCloskey, March 25, 1869. He claimed that he "had not said Mass or exercised Faculties or performed any pastoral function since his suspension," but he admitted that he "read the Rosary of the Blessed Virgin for four Sundays, at the earnest request of some pious people." The Appeal asserted that he had done nothing against Bishop McQuaid except what he

was compelled to do by dire necessity to defend himself "against his assaults and accusations." These were given in detail as the reasons why the Archbishop of New York should restore O'Flaherty to his Faculties and position. In them, he maintained his attack on Father Kavanagh, and accused Bishop McQuaid of "getting up meetings in Auburn even this week of a few persons outside the congregation to make further attempts to force" him on the Church of the Holy Family. To contrast his own conduct with the aggressive policy of Bishop McQuaid, he declared: "I even moved away from the Pastoral house and neighborhood of the church."[51] However, an affidavit proves that O'Flaherty's disposition was anything but peaceful that very week:

> John Flynn, being duly sworn, says that he resided in the city of Auburn, in said county, and has so resided for the past eighteen years, and is now a newsdealer in said city. That he is well acquainted with Thomas O'Flaherty, the late pastor of the church of the Holy Family in said city. That on the 31st day of March, 1869, the said O'Flaherty came to the house of this deponent . . . . He then asked me if I would not do a favor for him. I asked him what it was. He then said, Would I go to the meeting to be held in Markham Hall on Thursday evening and undertake there, by all the power I could command, to prevent the passage of certain resolutions to be presented at that meeting . . . During the afternoon of the next day and after consulting with two friends, I determined to go and see him again, and accordingly went to his country residence, and there saw him. I told him that I had been thinking over our prior conversation, and that I did not want to interfere, that it would make me enemies and interfere with my business. I continued to refuse to interfere, and then finally he said: I will give you fifty dollars and be your best friend the longest day I live . . . After some further conversation, and as I was leaving, he said: I will depend upon you to be there; I replied alright, and left for the city, but did not attend the meeting.[52]

By this time things were evidently slipping out of the grasp of O'Flaherty. As early as March 16, 1869, Bishop McQuaid called Archbishop McCloskey's attention to the fact: "He appeals now only because he finds every one failing him. On last Sunday, with all his efforts, he had but a slim attendance in the school house."[53] Nevertheless, O'Flaherty was able to assemble a meeting of his own that Thursday evening, April 1, 1869, at which the following resolutions were passed:

Whereas, From the beginning of the trouble between Right Rev. Bishop McQuaid and the Congregation of the Church of the Holy Family, our Pastor, Very Rev. Thomas O'Flaherty, for well known reasons, desired leave of absence and retirement from pastoral duties for a season, and Right Rev. Bishop McQuaid has publicly declared that he will not send any priest in his place to the congregation of the Church of the Holy Family until they go on their knees to him begging for a priest, and then that he will send them Rev. Mr. Kavanagh; and

Whereas, The congregation of the Church of the Holy Family have not gone on their knees begging to Right Rev. Bishop HcQuaid for any such object, but, on the contrary, he within the last two weeks got up two fictitious meetings principally of persons belonging to St. Mary's Church, and falsely and dishonestly assuming our name, for the purpose of passing resolutions approving of his oppressive action and of getting up a petition and delegation to him asking for a priest for the congregation of the Holy Family; therefore

Resolved, That we, the assembled congregation of the church of the Holy Family, condemn the action of these few persons in calling these meetings at the Court House and at Markham Hall, and in falsely assuming the name of our congregation, at which so much scandal to religion has been given, and at which they failed to carry their resolutions, and we condemn also the meeting to be held by the same persons this evening, having the same object in view, and forbid any of our congregation to attend it.

Resolved, That we shall maintain our old pastor until his and our grievances are redressed, and our difficulties settled, and shall do all in our power to protect him from the conspiracies formed with such cunning to destroy his reputation as a clergyman and citizen.

Resolved, That we shall never accept Rev. Mr. Kavanagh as our pastor for reasons well known in this city, and which we have so often and so unanimously expressed as a congregation, his power of good amongst us having long since been destroyed by his own action.

Resolved, That Bishop McQuaid being already aware that we are in want of a priest, and that we shall accept any priest he may send us for the time being, who is a perfect stranger to the congregation, yet we are compelled to regard his conduct as uncatholic and uncharitable in directing the Pastors of St. Alphonsus and St. Mary's churches to repel the members of the Holy Family Church from said churches and not administer the sacraments to them for the purpose of forcing them into his oppressive measure.

Resolved, If he don't send us another priest in the place of Rev. Mr. Kavanagh, that we keep our church closed until Higher Church Authorities redress our wrongs.

Resolved, That we petition the Archbishop of New York and the Holy See to restore to us our own Pastor, Very Rev. Thomas O'Flaherty, or, until he is restored to us to obtain for us a priest, in whom we have confidence and to whom we can look up with respect, and that a committee be appointed to carry out this resolution.

Resolved, That we cannot be treated worse or with greater indignity and injustice than we have been treated by Bishop McQuaid, who has repelled with violence our committees approaching him humbly and respectfully; that he has acted more like a cruel tyrant throughout this whole trouble than a charitable father; that he has ruined us, as a congregation and as a church, spiritually and financially, and that we petition our Holy Father, Pope Pius the Ninth, to remove him from a position he disgraces and dishonors by his unchristian and uncatholic disregard for the salvation of souls, the religious rights of a christian people, and the common principles of morality and church government recognized by all.[54]

It was not true that Bishop McQuaid did not provide for the spiritual care of the loyal majority in the Parish of the Holy Family. In his first address to the people in St. Mary's Church, after the outbreak of the trouble, February 28, 1869, he made the announcement: "The good people can come to this church at such hours as can be arranged for them and leave these breakers of the peace to themselves and to their own consciences."[55] Contumacious schismatics hardly had a right to expect the ministry of the sacraments from the priests in the other churches of Auburn. These poor deluded people were simply misled by O'Flaherty into passing resolutions framed by himself. This was not done without trouble at this time, if we accept Bishop McQuaid's statement to his Metropolitan: "They had indeed a stormy time in spite of O'Flaherty's presence and speeches." He added, in the same letter, April 5, 1869: "I am told that, at the meeting in Markham Hall in the same evening, everything passed off in quietness and order, and that about six hundred signatures were obtained to the petition to be sent to me. The petition has not been sent as yet, as the Committee are willing to give every one who belongs to the Parish and is willing an opportunity of signing it. I have no doubt but that they themselves will place Rev. Mr. Kavanagh in possession of the Parsonage and Church and maintain him there."[56] The resolutions

adopted at the meeting of Markham Hall were such that there is no wonder O'Flaherty attempted to prevent their unanimous acceptance. This is evident from the text itself:

> Whereas, By the principles and general discipline of the Roman Catholic Church, as also by the laws of the Church of the Holy Family, "this church is bound to receive as pastor thereof such priests as the Right Rev. Bishop of this diocese may from time to time appoint, and that, whenever any pastor shall be removed by the Right Rev. Bishop, such pastor shall no longer be recognized as pastor;" and
>
> Whereas, The Right Rev. Bishop of this diocese, for reasons satisfactory to himself, has removed, as he had a right to do, the Rev. Thomas O'Flaherty from the pastorship of this church and also suspended him, and has sent as pastor the Rev. Martin Kavanagh; and
>
> Whereas, Certain persons have endeavored to prevent the Rev. Martin Kavanagh from officiating as such pastor, and the Right Rev. Bishop has deemed it his duty, in order to secure a due respect for the law and discipline of the Roman Catholic Church, to close the church edifice and suspend religious services at the Church of the Holy Family until the authority of the Right Rev. Bishop shall be respected; therefore
>
> Resolved, That we, the pewholders and congregation of the Church of the Holy Family, hereby admit and declare that the Right Rev. Bishop has, in the removal of the Rev. Thomas O'Flaherty from the pastorship of this church, only exercised the authority with which he is clothed by the principle and general discipline of the Roman Catholic Church and by the laws of this church.
>
> Resolved, That we no longer recognize, but on the contrary declare and assert that the Rev. Thomas O'Flagherty is no longer pastor of this church, that we cannot recognize him as pastor in any sense and remain loyal to the church of our choice; and that he must cease claiming to act as such either *de facto* or *de jure*.
>
> Resolved, That the Rev. Thomas O'Flaherty be requested to deliver up the keys of the Parochial residence now held by him and to surrender the same to the Trustees of the Church, and also to hand over to said Trustees all books and papers in his possession in any wise pertaining or belonging to this church.
>
> Resolved, That we request the Right Rev. Bishop McQuaid to send as Pastor of the Church, the Rev. M. Kavanagh, or such other priest as he may deem fit, and that the Church be opened for service on Sunday next, April 4, 1869.
>
> Resolved, That a copy of these resolutions be presented to Right Rev. Bishop McQuaid, and a committee of four be appointed for that purpose.

Resolved, That a copy of these resolutions be sent to Mr. Thomas O'Flaherty by the Secretary of this meeting.[57]

This was like waving a red rag before a mad bull. O'Flaherty and his adherents, in reply, passed a set of resolutions more vicious than the first, claiming for themselves exclusively membership in the Church of the Holy Family, and branding the meeting at Markham Hall as that of a set of impostors, wicked and unprincipled tools of Bishop McQuaid, "to throw dirt at the pastor and congregation of the Church of the Holy Family for the purpose of sustaining said Bishop." They again asserted their refusal to accept Rev. M. Kavanagh and their readiness to accept any strange priest, as "Very Rev. Thomas O'Flaherty has ceased to officiate as pastor from the beginning of our troubles with Bishop McQuaid." They declared their resolve ever to protect and defend their old pastor "from the conspiracies hatched week after week to defame him, ... because he was unable or unwilling to supply with money one who falsely imagined that he was wealthy and a fit subject to be plucked." They, therefore, sustained him "against all machinations and false affidavits, coming from the highest or lowest amongst us." They finally determined to complete their petition against Bishop McQuaid and "send it immediately to Rome, begging his removal from a position he has proved himself unworthy and incapable of fulfilling."[58] An advertisement that appeared in the paper about the time these resolutions were framed may have added to the fury of the O'Flaherty party:

$500 REWARD.—A reward of Five Hundred Dollars is hereby offered and will be paid for the information that will lead to the arrest and conviction of the person or persons who set fire to the Church of the Holy Family.

B. J. McQUAID,
Bishop and Pres't of Board of Trustees.[59]

Auburn, April 6th, 1869.

Bishop McQuaid published this, because "O'F's hold on his crew is loosening and before long secrets will come out that will place him in his true character." At least, this is what Bishop McQuaid wrote Archbishop McCloskey, April 5, 1869, after stating that "from present appearances we shall learn the Author of the fire in the Church."[61] The resolutions

of the Markham Hall meeting were duly presented by a committee to Bishop McQuaid in his Episcopal residence and occasioned the following letter from his pen.

Rochester, April 8th, 1869.

Gentlemen:

The resolutions of a meeting held at Markham Hall, in Auburn, on the first of April, signed then and afterwards by five hundred men (members of the parish of the Holy family), are now before me.

The language of the resolutions is the language of Catholics, who know, acknowledge, and hold to the Faith and Discipline of the Catholic Church.

That the Rev. Martin Kavanagh is not now living in that parish and attending to its spiritual wants is no fault of his, nor is it mine. He has been Pastor of that church since the 15th day of February, but unable to enter on the discharge of his duties through the opposition, even to violence, of the Rev. Thomas O'Flaherty and his organized party of Malcontents.

With great persistency they have maintained that this opposition was unanimous on the part of the congregation of the Holy Family. Telegraphic dispatches and newspaper reports have circulated this charge all over the country. Whence originated the dispatches and reports no one in Auburn needs to be told. It was the duty of the congregation thus calumniated to repel the calumny and justify their claim to the name of Catholic Congregation.

Now that you have spoken and acted, and can no longer be misrepresented, I will request the Rev. Martin Kavanagh to return to Auburn, and I shall expect you to put him in possession of the church and church property, and to protect and maintain him in the peaceable exercise of his functions as Pastor of the Church of the Holy Family.

If the misguided men who have made themselves conspicuous in the past weeks by their contempt for church discipline, disregard for law, and loud and foul abuse of their Bishop should threaten to continue their trampling upon your rights as a congregation, then call to your assistance the proper civil authorities and, with their help, assert and maintain your rights.

As matters now stand, no Catholic can be deceived as to the line of conduct it is his duty to follow; no member of your parish can stand on neutral ground; he is for the Bishop and established discipline, or against the Bishop and for the law which Rev. Thomas O'Flaherty has sought to establish. The stale story of O'Flaherty's permanent appointment by the Pope as Pastor and Dean may have deceived some for a time; no one is now deceived by it, but those who are willing to be deceived. The story originated in the same prolific brain which gave birth to the other foundling that the Rev. Mr. Kavanagh had been removed from Auburn on a previous occasion by command of Cardinal Barnabo.

After an appeal to the American Protestant public, to mob law, to the Supreme Court, it will be waste of time and money to carry an appeal to Rome. Nor is it at all likely that the "intelligent and influential" mob that hooted a Bishop through the streets, that with the fury of madmen hindered the celebration of Mass on the following morning will be able to demonstrate to Rome the many excellencies and Christian virtues, the sound Catholic teaching and the usefulness of the labors of their late Pastor.

Philadelphia had its William Hogan in 1822. History records his after-career and ending. Many a scar still tells of the wounds then inflicted.

Buffalo had its St. Louis Church trouble, and it was on that occasion that the late Archbishop Hughes published a letter in the *New York Commercial Advertiser* of April 4, 1843. I cannot do better than give you one paragraph of that letter:

"But it sometimes happens that our trustees may be honest and upright in their intentions, and yet men of simple understanding and without education. In such cases, only let an enlightened, talented, intriguing, and irreligious mind get among them, and then, whatever he concocts in his infidel mind he induces them, under specious pretexts, to adopt; and then he gives out the depraved purposes of his own heart, as the act of the Board, and this again as the act of the congregation. From the moment this arrives, woe to the flock, woe to the Pastor, who are at once divided from each other and yet kept together by such a link of iniquity."

You will readily admit that the late Archbishop, from his clear knowledge and experience in Church disturbances, had a clear understanding of the manner in which they were created and kept alive.

In concurrence with the Vicar-General of the Diocese and the pastor of your church, I have appointed Mr. Owen Gavigan and Mr. Joseph Anderson the Lay Trustees of the Church of the Holy Family.

The Bishop, the Vicar-General, the pastor of the church, and Messrs Gavigan and Anderson form the legally constituted Board of Trustees of the Church of the Holy Family. They alone are recognized as such by the law and are empowered to hold the church property.

Such persons can be considered members of the Parish of the Holy Family, who held pews or sittings in the church, or who lived within the limits of the Parish and were in the habit of frequenting that church at the time the disturbance began. They also have a right of membership, who, residing in the Parish, were unlawfully refused seats in their church and were thus compelled unwillingly to go to another.

I pray God to end speedily the strife and schism now existing in your midst, to convert the wicked and to bless you all.

B. J. McQUAID,
Bishop of Rochester.

This letter settled the matter definitively for the large majority of the Parish of the Holy Family. It was accepted and ordered to be inserted in the minutes of a meeting that assembled again at Markham Hall, April 9, 1869.[61] The next day the Secretary of O'Flaherty's faction published a call for violent opposition to this settlement of the trouble:

Men and women of the Church of the Holy Family:

You are stigmatized by the letter of the Bishop as an organized set of malcontents, not worthy of his cognizance or respect. He appointed over you, to govern and direct your affairs, men whom you are not willing to acknowledge as your directors. These men, hailing from another parish, have, in face of American justice, in violation of civil law, and, to use their own expression and meaning, defied us to mortal combat. We appeal to American justice to sustain us law-abiding citizens in the discharge of our duties in *resisting* the enforcement upon us next Sunday morning of a Priest who is not recognized by us and whom we will never accept. In view of these facts, as *determined* men and women, your presence is requested Sunday morning to sustain our rights as men and as citizens.[62]

The incorporation law for Catholic Churches settled the question of holding Church Property in the State of New York. This was brought to the attention of the Mayor of the City of Auburn on the same day that the declaration of the next Sunday's hostilities was published by the O'Flaherty faction. To reinforce the Police, he issued the following proclamation:

Mayor's Office, Auburn, April 10, 1869.

Whereas I have reason to believe that great opposition will be made to the civil authorities in their efforts to preserve the peace and good order of the city, now, therefore, by virtue of the power and authority in me vested by law as Mayor of the city of Auburn, I hereby command that you, Captain Charles Crocker, Commanding Company C, 49th Regiment N. Y. N. S. G., and Lieutenant A. B. Elliott, Commanding Company A, 49th Regiment, do., each of you hold yourself and your respective companies in readiness at the Armory in this city tomorrow morning, (11th inst.), at 9 o'clock, A. M., and there await further orders and instructions.

I am very respectfully,

J. M. HURD,
Mayor of the City of Auburn.[63]

A large crowd naturally gathered in the vicinity of Holy Family Church the next day, of which a Committee appointed by the trustees had already taken possession. Resistance melted away in view of the preparations made by the Police, reinforced by two companies of the National Guard, to cope with the situation. The Mayor made an address from the front steps of the Church, stating briefly that he had taken the necessary legal counsel, that he had ascertained who the properly constituted authorities of the church were, and that they should be sustained in their action at all hazards. He concluded with warning all persons not to interfere with the exercise of that authority nor to create any disturbance during the services which were about to begin. As soon as the doors of the Church were opened to the public, it was filled to overflowing. The Police allowed none to reach the Altar, and Mass was said in all peace and quiet. At the end Father Kavanagh stepped forward and said:

> At three o'clock this afternoon the pews of this church will be rented to all who may apply for them. Those who cannot apply for them at the time mentioned may make their wants known to the two lay trustees during the ensuing week. Those who have heretofore occupied pews will be permitted to retain them. The services for the day have now concluded, and I desire to return the heartfelt thanks of the members of this church and of myself to the Mayor and Common Council for coming here today and maintaining order and peace within this sanctuary. I am deeply thankful that peace and quietness has reigned, and I most humbly and devoutly pray God that it may continue so in all time.

The congregation dispersed quietly after this announcement.[64] While there was no further public disturbance, O'Flaherty continued to write Archbishop McCloskey in the hope of having Bishop McQuaid's action reversed in his favor, insinuating that otherwise he would appeal to Rome. At the same time, he boldly maintained his right to sue Bishop McQuaid for libel in the Supreme Court.[65] Later, however, in writing the Archbishop, June 8, 1869, he declared: "This libel and slander suit was instituted to save my priestly character from the continued gross assaults, through Press and Pulpit, of Bishop McQuaid. Still, should you direct to have it stopped, I should do so at any moment."[66] O'Flaherty did drop the libel suit for $20,000 damages, but for another rea-

son, if we believe Bishop McQuaid who explained the matter to Apostolic Delegate, Mgr. Satolli, December 13, 1892: "A few weeks before the time set for the trial, I informed one of his friends of the nature of my proofs and evidence, which necessarily I would have to bring out in the court, should the trial begin. There was no disputing their character and force; they would have overwhelmed him with disgrace. A few days after his friend had communicated this information, O'Flaherty withdrew the case and removed it from the records."[67]

This did not mean that O'Flaherty ceased with his underhand work. As Bishop McQuaid later revealed: "Angry with defeat, he then published a vile and anonymous pamphlet, accusing me of having committed murder and arson, and of living in a state of concubinage with two women. In the same pamphlet, he also attacked two other bishops. A nephew of O'Flaherty went along the business streets of Rochester, throwing copies of the scurrilous pamphlet into the stores."[68] While at Rome for the Vatican Council, Bishop McQuaid tried to reassure his friend, Dr. Corrigan, who felt uneasy about the Bishop's good name in this campaign of vilification:

> I felt more concerned for the annoyance given to you and other friends by O'Flaherty's pamphlet than I have for myself. It is so gross and absurd that it has no power to do more than vex its readers. Father Early seemed very much angered by it; he also seemed to think that some Priests in Jersey were helping O'Flaherty. I have written to him to disabuse him of that idea. No doubt, some of those whom I suspended and who are no longer exercising faculties may be trying to help him, but I am full sure that not one now in the Diocese, no matter how cold his feelings towards myself, can sympathize with him in his dirty work.[69]

Although publicly offered a trial by Bishop McQuaid before the Diocesan Council, O'Flaherty refused to accept one. The Archbishop of New York naturally refused to act on the strength of O'Flaherty's appeal as long as he refused a trial in his own diocese. As a last resort, O'Flaherty carried his case to Rome in the winter of 1869-1870. The Bishop's presence in Rome at the time made it possible for him to take charge of the matter personally, as he informed Dr. Corrigan, February 6, 1870:

A few words' explanation at the Propaganda soon satisfied them with regard to O'Flaherty's character and acts. Still I hold it to be wrong for the Propaganda to entertain appeals when a Priest refuses to have his case examined by the regularly appointed tribunal. The Council will, in all probability, regulate some of these matters. Instead of a breaking down of discipline, there is more likelihood of there being a straightening up in some points. Some who are clamorous for the rights of Priests may find that there are rights also for Bishops and people.

We are still waiting for the appearance of McMaster's champion of Priests' rights. No one can make out who he is; certainly he has not made himself known as such, or in that character to any in authority. My own suspicion based on good reasons leads me to think that I know him, and that he has been here, but not as McMaster described; that he has done no more than represent, when he found opportunity, the great agitation in the United States, but never putting himself forward as the representative of any body. His character was such that no one suspected him, nor did we until quite lately know that he had had trouble with his Bishop. As the trouble has been settled, it is probable that he will return to his Diocese and try to conceal his part in the agitation. There is a Priest here, O'Callaghan, of Cleveland Diocese, complaining of his Bishop, but he does not go beyond his own affair. I find that a general impression prevails that there is discontent in the Rochester Diocese, and, when the agitation is spoken of, Chicago and Rochester are cited. There never was a greater mistake so far as Rochester is concerned, for my priests and myself are on the best of terms. Some seemed to suppose that, perhaps, some bad priests in the Diocese had actually concocted the pamphlet. It was well, therefore, that the Priests denounced it. So, my dear Doctor, you see that I have still a cross to bear; a heavy one, it may be, is sent me because I ought to be able to bear it.

All my letters from home are very cheering and satisfactory. Everything seems to move along to Father Early's entire contentment.[70]

O'Flaherty's early publicity campaign was really responsible for the impression throughout the country that there was great discontent in the Rochester Diocese. The testimonials given Bishop McQuaid at the time of his departure for the Vatican Council proved the contrary to be the case. Besides the purse of $1000 from the Laity, the Priests of the Diocese presented to Bishop McQuaid $4,475 with the following address:

We are assembled here today at your hospitable home, not by episcopal command, but by mutual arrangement on our part, to

address you a few words ere you will have taken your departure for the Eternal City, whither you are invited by our Holy Father to attend the Ecumenical Council, and to present you a trifling testimonial of our heartfelt esteem, filial devotion and respect.

Conscious of your unwillingness to receive even merited praise, we cannot, whilst consulting your feelings, permit this occasion to pass without declaring our entire satisfaction in the manner you have governed the newly created Diocese of Rochester, over which God, through the appointment of the Holy See, has constituted you the first Bishop; nor without tendering to you our sincere thanks for the noble and fearless manner in which you sustained episcopal authority and subdued the rebellious spirit of the ungovernable malcontents of the city of Auburn, led by a foolish and maliciously inclined priest.

The unhappy circumstances in which you were placed, and the unjust efforts resorted to by these evil-disposed persons in attempting their own ruin brought to your side the prayers and sympathies of the entire Catholic community and the approbation of the lovers of order in every denomination.

Having witnessed your labors in sustaining episcopal authority and church discipline, we congratulate you upon the happy result of your untiring exertions—upon the triumph of ecclesiastical order over lawlessness and the restoration of authority despite the machinations of rebellious partizans who thought to awe you into a concession of their unjust demands.

We, one and all, heartily deplored this unchristian contempt of established authority and grieve that the first year of your residence amongst us should have witnessed such unhallowed proceedings.

And now, dear Bishop, as you are soon to take your departure from us, we think this an opportune time to manifest, by some small token, our appreciation of your endeavors for the promotion of ecclesiastical discipline and Catholic advancement in this new Diocese of Rochester, as well as it may be a proof of the respect and filial affection which we, the clergy of your diocese, entertain for you.

Accept then, dear Bishop, this token which, we feel convinced, you will not value so much as the sentiments of true, sincere, and heartfelt devotedness that prompt it.

While in our midst, you have governed with equity and moderation; in you we beheld all the qualities that adorn the zealous bishop, the kind father, and the sincere friend.

In your absence, our prayers and the prayers of those committed to our immediate charge will ascend before the throne of our Divine Master, imploring His protection for you on your voyage and begging Him to grant you a safe return to our midst that we may yet enjoy many happy years, loving and obeying you, our Bishop.[71]

After the decision of the Propaganda in 1870, O'Flaherty continued to live in violation of his vow of celibacy, "without mass or the sacraments, most of the time on a farm near Auburn." Repeated attempts, nevertheless, were made by O'Flaherty to be restored to the ministry, as Bishop McQuaid informed the Apostolic Delegate, December 13, 1892:

> When O'Flaherty found that he had no hope of restoration to the ministry by the Propaganda, he pretended to repent just as he does now. He wrote a letter to me, saying that he would like to be reconciled to the Church, etc. I answered that he should place himself under the direction of the Reverend Father Ruland, Rector of the Redemptorist Convent in Rochester and former Provincial of the Redemptorists in America, a man of great learning and piety and charity, and that whatever he would tell him to do I would sanction. When O'Flaherty visited Father Ruland, he went through the farce of pretending to be sick and that he had but a short time to live, otherwise he would go into a monastery. So Father Ruland, in a view of a mortal sickness that has now been going on for twenty years, decided that he should retract publicly his calumnies and insults against his bishop and others, ask pardon for his public scandals, and that after doing penance two years, be allowed to say mass in private, but not in public. I approved of the decision, although I did not believe in the pretence of sickness. It was the old trick he played on Bishop Timon years before. O'Flaherty would not accept Father Ruland's conditions. A few years ago he called on me to be reconciled to the Church. I had only one answer to give, which was that he should go to a monastery. Since then, having some temporary malady, real or sham, he sent for one of the pastors of Auburn, with a view to confession. The pastor gave him in writing the conditions upon which he could be absolved..... Upon these conditions, he did not want confession and sent the priest away.

A clear statement of all these facts was furnished to the Apostolic Delegate, Mgr. Satolli, when steps were under way to restore the fallen priest to the ministry. Bishop McQuaid could not convince himself of the sincerity of the conversion, although he was willing to make some concessions: "Let him go to a real monastery to do penance; if he have no money to pay his board, I will pay it for him. Anything short of this will horrify priests and people. With regard to his saying Mass privately in a monastery after a suitable time of penance, I shall have nothing to say. While, with my conviction of his absolute want of faith and conscience, I cannot give such permission, I will not object to this permission being

given by Mgr. Satolli, or the Propaganda, if they find it justifiable to do so."[72] There was no intention to do justice to Bishop McQuaid's scruples in the case, as the Apostolic Delegate wrote in reply: "The imputations are many, grave, and apparently founded in fact, but they were never subject to a legal examination. There was no trial, consequently, juridically they have not the power to maintain the imposed penalty of suspension. The method used by the Bishop to lead into the temptation of disobedience, in order to suspend, does not seem to me the better part." Mgr. Satolli, therefore, requested to be sent the absolution from suspension, promising to his best according to the exigency of the case.[73] Bishop McQuaid fulfilled the request, asking in return "that O'Flaherty be not returned to exercise the sacred ministry within the limits of this diocese on account of the scandal that might arise there where his manner of life for so many years is well known."[74] Apparently, Bishop McQuaid's just anxiety in the matter was not relieved as soon as he might have expected, as he wrote Archbishop Corrigan, January 8, 1893:

> Mgr. Satolli has not informed me of what he did in the O'F. case. All I know is from the newspapers and rumors. The report sent out from the University was a malicious one. When the despatches stated that he had been suspended for 24 years, all the newspapers had to do was to go back to their files of 25 years ago.
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> * * * * *
>
> My impression is that Bp. Mullen will take him into Erie Diocese. The story came from Buffalo that he was to go to Alleghany College. He will be heard from again. He will never be allowed to say Mass in my diocese during my life time.[75]

Bishop McQuaid had made enemies at the Catholic University of America at Washington, and he believed that they were responsible for the publicity given to the O'Flaherty case. The *New York World,* September 25, 1894, published six columns of accusations and insinuations, chiefly directed against Archbishop Corrigan, but incidentally also against Bishop McQuaid. This caused the latter to send a communication to the Apostolic Delegate, denouncing the falseness of the charges made against his own person. He did this not "by way of defence, for no defence is needed. I wish to call your attention to the facility with which these disturbers of

ecclesiastical peace can conjure up lies and calumnies when it suits their purpose to do so. One of these days it may be expedient to expose the peculiar doings of some of these ecclesiastical traducers of their brethren in the episcopate." Bishop McQuaid did not limit himself to a mere general statement of this kind, but he specified the names of the individual offenders at the University and gave the details of their offense in the case:

> It is well known that at this time these gentlemen were in constant relations with the American press, especially the *N. Y. Tribune*, that the Washington correspondents of many newspapers were in regular receipt of news from the Legation through these University professors, and that before Your Excellency had time to make known your decision to me, they had already heralded it to the whole country in the most offensive manner. It was through the telegraphic despatches of the Washington Correspondent of the *Post Express* that I learned of your action in the case. That despatch represented me as having for twenty years done a great wrong to an old priest, which wrong you had promptly righted. There was nothing left for me to do but be silent, or come out in public as in public I had been assailed, and defend myself against the implied charge of injustice to a poor priest, emanating from the University, by giving the world his whole history. What I wrote to your Excellency about him is trifling in comparison with the whole truth. They charge me with making public O'Flaherty's misdeeds and assign a base motive for so doing. No one in this portion of the country could be accused of making public what was notorious all over Western New York. Several times he had been before the civil and criminal courts. The last time was in the month of August, preceding his restoration. All the newspaper offices, especially in Auburn and Syracuse, had been familiar with his life for over twenty-four years. They needed no one to give them information. The only course for me to follow was to accept the odium put on me by the Washington professors and be silent. Now they turn my silence as begot of evil intent against your Excellency. You, at that time, had no reason to suspect malice towards myself, and that they had availed themselves of their opportunity to be revenged.[76]

Trying as such internal trouble was, Bishop McQuaid was also subject to assault from the outside. Bishop Coxe of the Episcopalian Diocese of Western New York was the main offender. At a General Convention of the Episcopal Church in Rochester, he made an address which furnished him the occasion for making outrageous attacks upon the Catholic

Church at the same time that he claimed the Protestant Episcopal Church to be the Orthodox Catholic Church of America, "equally removed from Popery and Puritanism." He confessed that "hitherto our countrymen have chosen to be ignorant of these matters and to sneer at what they have taken no pains to understand. But events are close at hand which will make them think. Popery presses upon them with its delusive pretensions and unscrupulous political machinery; Puritanism is losing its prestige of superior piety and evangelical purity; Rationalism is destroying the vitality of many sects which have hitherto 'had a name to live,' and political and fanatical issues are scattering the forces of popular religion." Bishop Coxe had, in fact, deluded himself into believing that Rome was on the point of discrediting itself in the face of the whole world: "A weak pontiff at Rome has been led to summon a council to which he vainly endeavors to fix the credit of being 'Ecumenical.' He has done a very foolish thing for his own ideas, but God has already overruled it for the most glorious awakening of the true Catholic spirit, the spirit of the creed and the gospel. The Oriental bishops, Greek, Armenian, and Russian, have spoken in tones worthy of their ancient Sees, rebuking the Pontiff for his presumption and reminding him that no Ecumenical Council was ever summoned by a Bishop of Rome. But, thank God, a council of the Trent Bishops has been called, and God grant that they may assemble. Pius IX seems born to break down the Trent system by working it to death. He will drive Europe into a reformation by his efforts to fasten the shakles of the Middle Ages on the full grown limbs of the Church of the Nineteenth Century." All this would have simply raised a smile, if Bishop Coxe had stopped here. However, with such convictions in his mind, Bishop Coxe waxed especially indignant, in his plea for Episcopalian schools, against "the land which is neglecting these grand necessities and leaving sons and daughters to godless instruction, or committing their souls and bodies to the nauseous regimen of convents. Will Americans never open their eyes and learn by the experience of nations? Even Romish Europe is in revolt against the pernicious influence of convent schools. Austria and Italy and Spain cast them off as intolerable, while the State of New

York is endowing monks and nuns with our taxes and turning over our school system to their corrosive management."[77]

Bishop McQuaid, in his public reply from the Cathedral pulpit, Sunday night, August 29, 1869, explicity refused to follow the example of Dr. Coxe who "has chosen to use terms concerning others which are not becoming a gentleman to use." Bishop McQuaid well remembered how years ago, when but a boy, "all non-Catholic Churches throughout the land rang with bitter and contemptuous terms against us. With pleasure, I have noticed the changes which have taken place from that day to this. The olden times have passed away so that today those denunciations are seldom heard in any church of any denomination. People have passed from the prejudices of by-gone days. They are not now compelled to hear 'anti-popery lectures.' Now this talk is only heard in country places or in smaller churches of the city, where some poor man wishes to gain a little local notoriety by indulging in such language." Nevertheless, Bishop Coxe had no hesitation in using most offensive and opprobrious epithets in speaking of the Roman Catholic Church. However, this was a trifling matter "in comparison with the fearful accusations brought against the Catholic Church and the things belonging to it which we hold most sacred." Bishop McQuaid here especially referred to the attack on the convents. He pointed out that in Europe they were only hateful to the infidel; he challenged Bishop Coxe or any of his friends to show specifically here in America "what there is in these convents or their teachings that is not in keeping with the highest principles of propriety and morality." With the help of other writings from the pen of the Episcopalian Bishop, it was easy for Bishop McQuaid to show the inconsistency of Bishop Coxe, that could only be explained as an outgrowth of prejudice:

> He seems to be very anxious to have sisterhoods in his church. He is on a committee to enquire into the propriety and feasability of establishing such sisterhoods, and to prepare rules adequate for their government. And would you believe it, he has taken as his chief rules those of the Catholic nunneries.

The source of Bishop Coxe's venom was his grievance that his own people were sending their children to Catholic convent schools. It was against these that he was trying to

poison the minds of the parents. Bishop McQuaid, however, concluded with the statement: "When Bishop Coxe has established a sisterhood equal to our Sisters of Charity, or the Ladies of the Sacred Heart, or the Sisters of St. Joseph, or Our Sisters of Mercy, in this city, we shall look on and rejoice that these ladies have engaged in good works of charity and in assuaging the ills of human nature."[78]

As Bishop Coxe was then absent from his diocese and the country, the Reverend George S. Teller of Geneseo entered the lists in defense of his Bishop. He reasserted and tried to confirm all the accusations made against the Catholic Church, but misunderstood infallibility as if it extended beyond the official papal teaching on matters of faith and morals to medieval political prerogatives of the Papacy and to sinlessness in the Popes, which it did not. His citation of Froude on Convents in justification of the dissolution of monastic establishments under Henry VIII was particularly unfortunate, as Froude's disease even in an Episcopalian book on the Historical Method stands for *chronic inaccuracy*.[79] Bishop McQuaid answered this second attack with a communication to the Editor of the *Rochester Union and Advertiser:*

> Rev. Geo. S. Teller, who, as "G. S. T.", was courteous in his language when speaking of Roman Catholics, having put on his clerical garb, takes to calling nicknames. Now we are nothing but "Romanists." There never was a man yet that did not think that his use of insulting and abusive epithets towards an opponent was not called for by truth and justice. Others, however, hold a different opinion.
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> My charge against Bishop Coxe was founded on his bad habit of abusing others and his assaults on the convents of Rochester. These have been my main points from the beginning; the side issues have been of "G. S. T.'s" making. Rev. Geo. S. Teller has satisfied me on the first charge. He escapes from the second charge by saying that he "must necessarily be ignorant of what passes within their walls." But Bishop Coxe insinuated immorality and the teaching of lying and perjury against the Convent of the Sacred Heart in Rochester and in all convents. I have presumed to ask for some facts to substantiate such insinuations, and I am taunted with "vaporing and bravado." How kind of Rev. Geo. S. Teller to accept my statements with regard to the management of convents in Rochester, instead of giving me the proofs that I ask for.
>
> There is no convent in Rochester that cannot be seen throughout by any person properly recommended. It will be necessary, however, to be cautious how we admit to them gentlemen, who claim

that "civilty must give way before the stern demands of fidelity to truth and principle," for the ladies who have charge might not wish to be exposed to the virtuous outbursts of "fidelity to truth and principle." The Convents are as open as any respectable home in Rochester; they are peopled with pupils, orphans, and the sick, many of whom are not Catholics, and when their assailant is asked for facts, he stands on the outside of the walls of his own building.

On page 34 of "Moral Reforms" [by Bishop Coxe], we read: "The fact is, the Christian religion is adapted to the human conscience that, in spite of man's wickedness, he cannot rule it out of a system of education where Christian light is shining. Against such there is no law; and not denying their evil, our common schools do admit such christian light to minds and hearts, which but for them would be abandoned to ignorance and vice.*** If Christians would use their influence and assert their rights with more energy, they might be made far better."

From the admissions of Bishop Coxe, I argued that the common schools would always be what the teachers made them; that their influence and example would necessarily work on the minds of the pupils. Mr. Teller is anxious to hold me to these views. I thought I had expressed them with sufficient force before, but as it seems to give him some satisfaction to hear self-evident truths, I will repeat that children frequenting common schools, colleges, or convents will be more or less influenced in religious matters by the teachers and all the surroundings. Bishop Coxe feels this as well as I do; hence his anxiety to establish Episcopalian colleges and schools for the children of his own denomination. The convents promise not to interfere with the religious views of their Protestant pupils, but they cannot promise that the good example of the nuns shall be without effect upon the minds of their scholars. Their scholars will learn that all the stories of the horrors and immoralities of convents are untrue, even if told by a bishop, and this discovery will not be without its effect. They will see the Catholic religion as it is, and not as it has been misrepresented and the truth has always great power and influence.

My stay in New York was short, and I had not the time to make full inquiries with regard to St. Luke's Hospital. What I did learn satisfies me that I was substantially correct in my first statements.

St. Luke's Hospital was founded by Episcopalians for Episcopalians. For many years all its patients were supposed to belong to that body, and if any one else found his way into that institution, he was treated spiritually as an Episcopalian, so that if a Catholic asked for a priest, he was expected to be content with the services of the minister of the Hospital. Such conduct in an hospital intended for charitable purposes, even if established with the money of Episcopalians, led to much trouble, and gradually the rule was relaxed. Dr. Muhlenberg can correct me if I am

wrong in my statement. Before the riots, Dr. Muhlenberg did permit the late Father Tillotson to visit the hospital when called for by sick Catholics, as a matter of personal favor to Father Tillotson, who had been a pupil of Dr. Muhlenberg in former times. During the riots, the hospital was threatened by a mob who knew that dying Catholics had been at different times refused the rites of their church. Even now all children placed in the hospital are regarded as Episcopalians and treated as such in spite of wishes of parents and friends. Since the riots, when an adult asks for a priest, one is sent for.

G. S. T. says: "To the element of danger in Roman Catholic mobs, like that whose action in threatening St. Luke's Hospital, he faintly condemns, I may perhaps refer at a future time."

No one has a greater contempt for mobs in a country in which there is law than I, and the mob which threatened the Hospital should have been treated as I would have been pleased to hear that they treated the mob that tarred and feathered and rode on a rail the Catholic priest in Ellsworth, Maine, the mob that burned the convent in Charlestown, Mass., the mob that sacked the German Catholic Church in Newark, N. J., and the mobs that burned the Catholic churches in Philadelphia.[80]

Bishop Coxe did not learn the lesson which Bishop McQuaid strove to teach him. A few years later he again addressed the Episcopalian clergy and worked himself into a perfect frenzy in his endeavors to usurp the name Catholic to the exclusion of the Roman Catholic Church. He also misunderstood papal infallibility which had been defined at the Council of the Vatican without being the deathknell of the Catholic Church as he had falsely prophesied. He thought that "the promulgation of papal infallibility was declaring that all the past Popes had done was right, and the atrocities committed by the Church and its persecution approved;" he claimed that beside "the horrid creatures—the Popes . . . . who were held up as infallible," Henry VIII, with all his wickedness, "was a Saint;" he expected Italy now to go the way England had gone; he warned men against the designs of Roman Catholics in America; and he, finally, pronounced "Romanism the small pox of christendom."[81] When Bishop McQuaid read all this in the newspaper, he simply sent a dignified protest to the Editor of the *Rochester Democrat and Chronicle*, February 19, 1873:

The report of an address by Bishop Coxe is given in this morning's paper. I do not care to notice its curious historical associa-

tions, or the learned Bishop's statements. His assertions are new readings of history, and his statements are worth what the good Bishop himself is worth.

But what will the scoffer at Christianity say, when he reads, as recorded in your columns, the language of a Bishop of the Protestant Episcopal Church denouncing another Church as the "small-pox of Christendom"? What if this example should be followed by others with less pretension to gentility and politeness? And what, if they, with the aid of the learned gentleman, should find epithets, viler and more disgusting, to hurl at the heads of horrid enemies? A community is no better than its representative men. It must have suited the taste of the Bishop's hearers, or he would not have ventured to descend to so low a depth in the practice of vituperation.[82]

Chapter XVII

PAPAL INFALLIBILITY

The O'Flaherty case must have relieved somewhat the monotony of Bishop McQuaid's life during the first months of the Vatican Council. He had taken up his quarters at first in the American College, but in the beginning of January, 1870, he changed them, "as there was no fire in my room and my shoulders began to suffer from rheumatism." He then found pleasant quarters in the Minerva Hotel. Although there was plenty of companionship there, the Bishop of Hartford, eight or nine Irish Bishops, and two Germans, he complained to Dr. Corrigan, February 6, 1870:

> How I do long to go home! At home there is work for me and here the whole life is so contrary to my notions and habits that I am fairly sick of it. No one can tell when the Council will end. It may be in June, and it may not be for *years*. It is now two months since it opened, and not a single decree has been passed so far. In fact, only a few things have been discussed, and those not the most important. The great question of infallibility has not come before us as yet, although it is the great question outside of the Council. Should it come before us, then the war begins in earnest. The present skirmishing is only child's play to what that will be. The ablest bishops by far, that have spoken in the Council, are Bishops whose views are known to have been adverse to any definition. Another difficulty will be to define what is meant by "ex Cathedra," etc. Should this question come up, the discussion will be endless. I am afraid that there is a determination to pass abstract questions as decrees that may be true enough in themselves, but which will be highly injurious to us in America from the handle they will give our enemies. If I had not confidence in God's protecting hand, I would run from the Council in despair, so strangely ignorant are many men of what is going on in the world. We need the earnest prayers of all good Catholics.
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> The sessions of the Council are very long, and sometimes quite tiresome. Whilst many of the Speakers are interesting, eloquent, and practical, others are long, tedious, and not to the point. We have three or four sessions in the week, of four hours' duration each. They try the patience and endurance of the old Bishops

PIUS IX
Pope 1846-1878

BISHOP McQUAID
At the Vatican Council, Rome
December 8, 1869—July 18, 1870

very much. I stand it well, and have not suffered in the least. My health, thank God, is excellent; my spirits, under this enforced do-nothingness, not to be boasted of.[1]

The Holy Father, Pius IX, published the order to be followed in the Ecumenical Council of the Vatican in the Apostolic Letter of November 27, 1869. It gave: 1. the rule of life for the members of the Council, 2. the right and the method to introduce measures, 3. the obligation of secrecy anent the proceedings of the Council, 4. the order of seats without prejudice to dignity and rank, 5. the judges of excuses and grievances, 6. the officials of the Council, 7. the general congregations, 8. the public sessions, 9. the prohibition to leave the Council, 10. the Apostolic Indult for non-residence to members of the Council.[2] The Vatican Council was solemnly opened on the Feast of the Immaculate Conception. Four days later twenty prelates, amongst whom were two Americans, Archbishop Kenrick of St. Louis and Bishop McQuaid of Rochester, presented a petition to the Holy Father, suggesting certain emendations in the published order of the Council. Their purpose was to bring out more plainly the fulness of examination and the most perfect liberty of discussion within the Council.

The eyes of the world turn to the most Holy Synod of the Vatican, convoked by your apostolic authority, and even now girded for its work under the presidency of your Holiness. The pious exult, but the world, in the suspense of unquiet expectation, is agitated with varied emotions, now of hope, now of diffidence, now of scorn or malicious incredulity. Nevertheless, your Holiness has felt keenly that the greatest possible authority and veneration should be obtained for the pronouncements of the Holy Council, inasmuch as there is to be concern not only for the edification of the pious, but also for the enlightenment and reconciliation of those who, in various ways, have more or less fallen away from God and the Catholic Faith.

Your Holiness, therefore, has given the order according to which the Holy Synod may advance safely and efficiently, as it were in orderly battle array, to expell error and remove scandal. Whereas the highest power and the unshaken strength of our Faith rests in the common and perfect consent of minds, your Holiness has, first of all, decreed that a Schema of questions already worked out, but in no way approved by you, be subjected entire and entirely to the examination and judgment of the Bishops. Thus will appear to all the world the full and perfect liberty of the Fathers in discussing

and defining sacred dogmas, and in decreeing rules for morals and discipline, as we have heard so eloquently declared by your Holiness at the first beginning of the holy assembly in these solemn words: "You, however, Venerable Brethren, gathered together in the name of Christ, are present to give, with us, testimony to the Word of God and witness of Christ, to teach, with us, the way of God to all men, and to judge, with us, under the guidance of the Holy Spirit, the opposition of falsely named science."

Certainly, it is a time when the minds of numberless men, also of those who are at the head of the government of public affairs, or who are distinguished for secular knowledge, and who can do much to lead the people away after themselves, are so disposed that there must be fear lest heavenly truth be despised by many, and the war sustained by the Church become more and more grievous, unless both the fulness of examination and the most perfect liberty of discussion shine forth more clearly than the sun. It seems, therefore, absolutely necessary that the liberty of the Fathers be vividly striking to the eyes of all.

Wherefore, your Holiness declares it lawful for every one to propose to the Council, according to ancient and perpetual custom whatever is seen to be of interest to the Christian Commonwealth. However, as everything must be done according to the order, those propositions must be first submitted to a special congregation or deputation; if this does not consider them opportune or meet, it rejects them, saving always the judgment of your Holiness, whose mind it certainly is that the reasons for rejection be presented to those making the proposals, and that they may be heard in that gathering in order to be able better to open their minds. For that is very conducive to the smooth running of the Council and to the peace of minds. This will be attained still better, if some Fathers, elected by the Council, be joined to that deputation.

Impelled by filial trust in the best Pontiff and Father, we do not hesitate to expose simply all our feelings anent the great work already begun.

Your Holiness has providently taken care to have worked out in advance what is to be subjected to the judgment of the Council, lest time be wasted. Besides, he has instituted four deputations, each to consist of 24 Fathers elected by the Council itself, to which will be consigned the office of considering the difficulties that arise in the general congregations. It is desirable and very necessary that some method be employed by which the more learned and better fit, in so great a multitude of Fathers of different nations, may be clearly known. Thus it may be seen that they are elected with knowledge, not by chance and as it were blindly. Also their number ought to be increased according to the gravity of the things and the peculiar kinds of questions submitted to them. The deputations themselves ought to be divided repeatedly. All Fathers ought to have free access to them so that no one may be foreign to the work

of the Council. Perhaps those deputations would be of greater utility if no question were brought to the examination of the general congregations without having first been seen and attentively considered by the deputies themselves. Thus the Holy Council would order the treatment of all things more easily by means of their previous discussion. It also seems to pertain to the majesty of so great a Council, over which the Supreme Pontiff himself presides, that the holy assembly itself be seen to take the initiative in the whole work, as it is to be perfected and consummated by it.

Your Holiness has prescribed the law of secrecy to the Fathers, lest the laity, especially those who constitute themselves arbiters and judges of ecclesiastical matters in the newspapers, spread harmful rumors, mixing falsity with the truth. But it is certainly not the mind of your Holiness, that the law of secrecy be not accommodated seasonably to the condition of the times. There are two things that may be worthy of consideration in them, namely the evil suspicions of men against the Church, the worse the more secret our counsels shall seem to be, besides the custom now already everywhere in vogue of doing publicly the weightiest business. Nor is it to be overlooked, no matter how carefully the deliberations are guarded, that it is impossible for them to be concealed entirely from the enemies of the Church, and not to be exposed to their malicious interpretations and unjust attacks. Who will deny that it is expedient for the Pastors of the Church not to be lacking the power of defence, which is very necessary indeed?

If all these things be granted in a just and reasonable measure, the magnificent spectacle of the Church, united under its visible and Supreme Head, teaching with perfect liberty, full confidence, and extraordinary majesty, shall excite the greatest admiration in the minds of all. Moved and subdued by the open and evident unanimity of the Pastors, upon which all men throughout all the nations of the world, whether wavering in the Faith or alien to it, depend, especially in regard to dogmas, definitions, they will feel, in that agreement of the whole Catholic world, the divine power to which it is given to destroy every height extolling itself against the wisdom of God and to reduce into captivity every intellect unto the obedience of Christ.[3]

The Holy Father attentively read the petition of the twenty prelates, but replied that it was his intention to have the order sanctioned by himself and already published remain unaltered. Nevertheless, he declared himself ready to adopt, in particular cases, some measures calculated to make easier and more expedite the discussion of matters proposed to the Council.[4] His answer did not touch upon the point made in the petition in favor of a certain amount of publicity. It is hard to estimate how far such a policy would have counter-

acted the campaign actually launched in the press to bring the Council into odium and contempt. "That such has been the aim and intent of certain journals and their correspondents is undeniable," Cardinal Manning declared in the Pastoral to the Clergy on the Vatican Council and its Definitions: "They at first attempted to write it down; but an Ecumenical Council cannot be written down. Next, they endeavored to treat it with ridicule; but an Ecumenical Council cannot be made ridiculous. The good sense of the world forbids it. But it may be made odious and hateful; and thereby the minds of men may be not only turned from it, but even turned against it."[5] The Cardinal also informed his clergy of his own conduct under these circumstances:

> I thought it my duty, during the eight months in which I was a close and constant witness of the procedure and acts of the Council, to keep pace with the histories and representations made by the press in Italy, Germany, France, and England. This, by the watchful care of others in England and Rome, I was enabled to. In answer to an inquiry from this country as to what was to be believed respecting to the Council, I considered it my duty to reply: "Read carefully the correspondence from Rome published in England, believe the reverse, and you will not be far from the truth." I am sorry to be compelled to say that this is, above all, true of our own journals. Whether the amusing blunders and persistent misrepresentations were to be charged to the account of ill will or of want of common knowledge, it was often not too easy to say. Two things, however, were obvious. The journals of Catholic countries, perverse and hostile as they might be, rarely if ever made themselves ridiculous. They wrote with great bitterness and animosity, but with a point which showed that they understood what they were perverting, and that they had obtained their knowledge from sources which could only have been opened to them by a violation of duty. Their narrative of events which were passing under my eyes, day by day, were so near the truth and yet so far from it, so literally accurate, but so absolutely false, that for the first time I learned to understand Paolo Sarpi's *History of the Council of Trent*, and foresaw how, perhaps from among nominal Catholics, another Paolo Sarpi will arise to write the History of the Council of the Vatican. But none of this applies to our own country. I am the less disposed to charge these misrepresentations, in the case of English correspondents, to the account of ill will, though they abundantly proved the inborn animosity of an anti-Catholic tradition, because neither correspondents nor journalists ever willingly expose themselves to be laughed at. I, therefore, put it down to the obvious reason that, when English Protestants

undertake to write of an Ecumenical Council of the Catholic Church, nothing less than a miracle could preserve them from making themselves ridiculous. This, I am sorry to know for the fair name of our country, has been the effect produced by English newspapers upon foreign countries.[6]

The violation of duty, to which Cardinal Manning referred, was evidently the obligation imposed by the oath of secrecy. The publicity desired by Bishop McQuaid and others might have disarmed the calumniators and slanderers of the Council. In fact, the Holy Father himself found it advisable in the end to dispense Cardinal Manning and some others from the oath of secrecy to a certain extent. The Cardinal revealed this in 1887: "When the Opposition in Rome began filling the newspapers and the governments of Europe with misleading or false information, I asked Pius IX to release me from the oath of secrecy that I might give Odo Russell whatever information I thought it advisable our Cabinet should know. This caused a close intimacy by letter and meeting. We used to walk together every Saturday afternoon which he called our *Sabbatina,* and I gave him full and detailed information, which he wrote home to Lord Clarendon, then foreign Secretary. From Odo Russell I had also full and detailed information of the acts and intentions of the Opposition, which enabled me to keep Pius IX fully aware."[7] The same year Cardinal Manning wrote this Note, he also mentioned the matter with additional details in his *Reminiscences of the Vatican Council:* "The incessant storm of newspapers beat upon the Council. The lies and fables were endless. To correct them in some measure, Pius IX released a bishop of the Italian, Spanish, French, German and English tongues from the oath of secrecy. I used to see Odo Russell often and walk with him every Saturday. I kept him well informed, and he wrote to Lord Clarendon. Lord Acton was writing to Gladstone. Odo Russell gave me all information as to the diplomatists and the International Committee. From him I received J. H. N.'s letter to the Bishop of Birmingham and information as to Lord Acton and Gladstone. All this enabled me to judge and act in defeating what I have palliated as far as I could in the *True Story,* but it was a plain conspiracy to make Pius IX the Honorius of the nineteenth Century."[8]

Repeated petitions for a modification of the procedure within the Council were, finally, also successful, and February 20, 1870, the Holy Father published supplementary regulations to expedite matters so as not to waste too much time in useless discussion, and yet safeguard the liberty of the members of the Council in amending and debating the Schema. It was, therefore, decided: "If the debates were unduly protracted after the matter in discussion had been sufficiently thrashed out, the Cardinal Presidents, on the written request of at least ten Fathers, may ask the General Congregation whether they wish the discussion continued longer, and, after taking a rising vote, they will put an end to the discussion, if it shall have been so decided by a majority of the Fathers present."[9] This rule was afterwards invoked in the settlement of the question of Papal infallibility.

At the beginning of 1870, a petition was circulated amongst the Fathers of the Council, requesting the definition of the Roman Pontiff's infallibility in teaching all the faithful, with apostolic authority, matters of faith and morals.[10] An overwhelming majority signed the petition, while a small minority of 136 prelates asked the Holy Father not to submit the question of papal infallibility to the Council for definition.[11] Bishop McQuaid's name is attached to the petition of 27 prelates from English-speaking countries, 20 of whom are Americans, asking this of the Holy Father. They begged to be allowed to adduce only three reasons from among several for their request:

> The first is that the discussion of the question will clearly show the defect of union, and especially of unanimity amongst the Bishops. The second, however, is that, in the circumstances we find ourselves in regions where heresies not only flourish, but also dominate, a definition would not only not attract, but on the contrary rather alienate from the Church those whom we wish to gain for Christ at every price, at every sacrifice. Finally, the third reason is that we foresee interminable controversies arising thence, through which we fear lest the work of the ministry be impeded and the fruits of this Vatican Council, perhaps, entirely lost to non-Catholics. Having exposed these things to your Holiness with sincerity of heart and piety of intention, we beseech the omnipotent God to avert every evil from the Church and to enlighten and guide you, Most Blessed Father, with his Holy Spirit.[12]

These three reasons alleged against the definition of papal infallibility were extrinsic reasons that did not touch the doctrine itself. Nevertheless, the hostile press seized upon the minority petition as though it proceeded from an organized "international opposition" that would wreck the work outlined for the Council. Again Cardinal Manning has well described the situation:

> For this cause Rome was full of correspondents, "our own," "our special," and "our occasional." Private persons forsook great interests and duties to reside in Rome for the support of the "international opposition." A league of newspapers, fed from a common center, diffused hope and confidence in all countries, that the science and enlightenment of the minority would save the Catholic Church from the immoderate pretensions of Rome and the superstitious ignorance of the universal Episcopate. Day after day, the newspapers teemed with the achievements and orations of the opposition. The World believed that it had found its own in the heart of the Episcopate and loved it as its own. There was nothing it might not hope for, expect, and predict. In truth, it is no wonder that a very intense interest should be excited in minds hostile to Rome by such a spectacle as the outer world then believed itself to see. And such, we may safely affirm, were the chief motives of its feverish excitement at the opening and during the early period of the Council.
>
> But how shall we account for the indifference with which the World affects to treat its close?
>
> By two very obvious reasons. First, because it became gradually certain that the World had not found its own in the Council, and that "the opposition" on which it counted were not the servants of the World, but Bishops of the Catholic Church who, while using all freedom which the Church abundantly gave them, would, in heart, mind, and will, remain faithful to its divine authority and voice. And secondly, because it became equally certain, indeed, was self-evident that no opposition, from without or from within, could move the Council a hair's breadth out of the course in which it was calmly and irresistibly moving.[13]

A few days after the Constitution on Faith had been fully discussed and unanimously voted by the 667 Fathers in the Council, April 24, 1870,[14] the primacy and the infallibility of the Roman Pontiff were submitted to the discussion and the vote of the Council according to the petition of the great majority.[15] The course of events is also here well put by Cardinal Manning:

On the general discussion of the Schema *De Romano Pontifice* some eighty Bishops had spoken. Of these nearly half were what the newspapers called the Opposition; but the proportion of the Opposition to the Council was not more than one sixth. They had, therefore, been heard as three to six. But further, there still remained the special discussion on the *Proemium* and the four chapters, that is to say, five distinct discussions still remained, in which every Bishop of the six or seven hundred in the Council would, therefore, have a right to speak five times. Most reasonably then, the Council closed the general discussion, leaving the Bishops still their undiminished right, if they saw fit, still to speak five times. No one but those who desired the discussion never to end, that is, who desired to render the definition impossible by speaking against time, should complain of this most just exercise of its liberty on the part of the Council. I can conscientiously declare that long before the general discussion was closed, all general arguments were exhausted. The special discussion of details also had been to such an extent anticipated that nothing new was heard for days. The repetition became hard to bear. Then, and not till then, the President, at the petition not of ten, but of a hundred and fifty Bishops, at last interrogated the Council whether it desired to prolong or close the general discussion. By an overwhelming majority it was closed.[16]

This was done in the general congregation of June 3, 1870. Thenceforth, the question of the opportuneness or necessity of the definition of papal infallibility was no longer debatable, as it pertained to the general discussion.[17] Nevertheless, the very next day eighty-one prelates, amongst whom there were eight Americans, and one of these Bishop McQuaid, submitted a protest against this procedure:

It follows from the very nature of Councils that the power of adding the weight of arguments to the vote upon which it depends is not a privilege reserved to certain Fathers, but a right common to all. It must be all the more sacredly observed, the graver is the cause put in question. However, the most weighty matter is a definition that proposes to Christian people a doctrine as revealed by God. That right prescribed to us according to the order of business is exercised in the general congregations. Therefore, the majority cannot put an end to the discussion, if that right is to be saved to the Fathers who are about to state their opinions. As this was done yesterday, we signify these things to you, Eminent and Reverend Presidents, by these presents, that our protest for the right of the Fathers to add arguments to the vote be and remain attested.[18]

The protest was not admitted by the Presidents, as the conclusion of the discussion on the Schema in general was

imposed with due observation of everything prescribed in the papal decree of February 20, 1870.[19] Five successive discussions now took place. According to Cardinal Manning's statement, "they were continued as long as any one was found desirous to speak. Finally, for the fifth or last discussion, a hundred and twenty inscribed their names to speak. Fifty at least were heard until on both sides the burden became too heavy to bear, and by mutual consent an useless and endless discussion, from sheer exhaustion, ceased."[20] The vote was taken July 13, 1870. Of 601 prelates, 451 voted the definition of papal infallibility, 88 voted against it, and 62 gave a conditional vote.[21] These last had to express in writing the condition added to their vote. The conditions admitted were printed and voted upon in the next congregation, July 16, 1870.

Bishop McQuaid had been amongst the 88 who voted against the definition.[22] A deputation of these Fathers, who were not willing to define infallibility, waited upon the Holy Father in the evening of July 15th with a statement that they would vote in favor of infallibility provided some changes were made in the Constitution on the Church of Christ.[23] Pius IX ordered Archbishop Darboy of Paris to reduce to writing what they desired. Chapter III, *On the Power and Nature of the Primacy of the Roman Pontiff*, teaches and declares "that, by the appointment of our Lord, the Roman Church possesses a sovereignty of ordinary power over all other Churches, and that this power of jurisdiction of the Roman pontiff, which is truly episcopal, is immediate" &c., &c. The opposition requested the suppression of the phrase that makes the power of jurisdiction of the Roman pontiff over all other Churches "truly episcopal." Again the Canon, concluding this chapter, pronounces an anathema upon any who "assert that he possesses merely the principal part, and not all the fulness of this supreme power." The opposition also wished this phrase expunged. Finally, Chapter IV, *Concerning the Infallible Teaching of the Roman Pontiff*, defines "that it is a dogma divinely revealed: that the Roman Pontiff, when he speaks *ex cathedra*, that is, when, in discharge of the office of pastor and teacher of all Christians, by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the universal Church, is, by the divine assistance

promised to him in Blessed Peter, possessed of that infallibility with which the Divine Redeemer willed that His Church should be endowed in defining doctrine regarding faith or morals;" &c. &c. Here the opposition wished an addition to be made so as to qualify the manner in which the Pope is to exercise his office of teacher of all Christians, namely, "resting on the testimonies of the Churches," or "by the use of means that had always been employed in the Catholic Church," or "Bishops not excluded." The evident purpose of all this was not to sacrifice episcopal prerogative to papal prerogative. Archbishop Darboy declared that nearly all the Fathers who had voted *Non Placet* in the General Congregation would vote *Placet* in the Public Session, if the desired changes were made.[24] Pius IX, however, had the Undersecretary of the Council refuse any such concessions as were requested, committing all to the General Congregation, but with definitive judgment reserved to himself. The Fathers then held meetings, July 16 and 17, 1870, and decided, by a vote of 36 against 28, to absent themselves from the Public Session.[25] Nevertheless, not one of these Fathers refused to give solemn testimony in the general congregation of July 16th that all legitimate liberty had been accorded to all the members of the Council. Accordingly, unanimous consent was given to the protest, submitted by the Presidents of the Council against the calumnies to the contrary, which were intended to undermine the authority of the definition of papal infallibility.

> From the time that the Holy Vatican Synod opened by the help of God, a most bitter warfare instantly broke out against it; and in order to diminish its venerable authority with the faithful, and, if it could be, destroy it altogether, many writers vied with each other in attacking it by contumelious detraction and by the foulest calumnies; and that not only among the heterodox and open enemies of the Cross of Christ, but also among those who give themselves out as sons of the Catholic Church, and what is most to be deplored, even among its sacred ministers.
>
> The infamous falsehoods, which have been heaped together in this matter in public newspapers of every tongue and in pamphlets without the author's name, published in all places and stealthily distributed, all men well know, so that we have no need to recount them one by one. However, among anonymous pamphlets of this kind, there are two especially, written in French and entitled; *Ce qui se passe au Concile*, and *La derniere heure du Concile*, which

for the arts of calumny and the license of detraction bear away the palm from all others. For in these not only is the dignity and full liberty of the Council assailed by the basest falsehoods, and the rights of the Holy See overthrown, but even the august person of our Holy Father is attacked with the gravest insults. Wherefore, we, being mindful of our office, lest silence, if longer maintained, should be perversely interpreted by men of evil will, are compelled to lift up our voice, and before you all, Most Reverend Fathers, to protest and to declare all such things as have been uttered in the aforesaid newspapers and pamphlets to be altogether false and calumnious, whether in contempt of our Holy Father and of the Apostolic See, or to the dishonor of this Holy Synod, and on the score of its asserted want of legitimate liberty.[26]

The same day that the Council made this protest its own by general assent, the fourth Public Session was set for July 18, when the papal prerogatives of a universal primacy and of infallibility were to be publicly attested by a vote of *placet* or *non placet*. Fifty-five prelates, three of whom were Americans, Archbishop Kenrick, Bishops Verot, and Domenec, wrote the Holy Father, July 17, that they did not wish to say publicly and in his face: *non placet*, for they had not changed their original vote. They, therefore, declared: "Thus we return without delay to our flocks, to whom we are most necessary after so long an absence on account of fears of war and their most pressing spiritual wants. We regret that we are about to find also the peace and tranquillity of consciences disturbed on account of the sorrows under which we labor in this condition of things."[27] General permission had already been granted, in the general congregation of July 16, to the Prelates to withdraw from Rome for reasons of health or of diocesan work until November 11, on the condition that they signify their departure in writing to the Secretary of the Council.[28] The fifty-five Bishops took advantage of this permission to absent themselves from Rome before the fourth Public Session. The Archbishop of Cologne, who had voted *placet sub modo*, did not feel that he could, in conscience, change his vote to *placet*, and so he also left July 17.[29] The Bishop of Mainz did the same because desired changes were not made.[30] Yet both these men even then declared full submission to the definitive decree of the Council. In fact, not a single Bishop rejected the decrees of the Vatican Council in regard to any point defined. The Public Session of July 18 heard 533

prelates vote *placet* and only two *non placet,* namely the Bishop Aloisio Riccio of Cajazzo, Italy, and Bishop Edward Fitzgerald of Little Rock, Arkansas. Then and there, the latter testified his acceptance of the decree on the papal primacy and infallibility to the Holy Father himself.[31] Bishop McQuaid was not present at the Fourth Public Session, although he did not leave Rome until the evening of that day.[32] He had, however, obtained from the Council, July 16, permission to leave, without the obligation to return, "on account of the several needs of his diocese most recently erected."[33] For some reason or other Bishop McQuaid did not wish a public reception, with parade, etc., and so he was careful to reach Rochester when not expected. He was very glad to be home again, having found nowhere "so good a place to pray in as St. Patrick's Cathedral." There, August 28, 1870, he gave to his people a good account of the definition of papal infallibility at the Council of the Vatican, publicly proclaiming his faith in the truth of the doctrine:

> The question is simple enough. The definition is clear enough. The Pope is declared to be infallible. This is the ordinary language used, and men are horrified that a man like this should be made infallible, raised above man, made someting like God in heaven, one that cannot err, one that cannot be deceived. When we use the term: "The Pope is Infallible," in that sense, it is not correct—it is not true. The Pope is infallible in certain things. He is not a man that is made infallible in all things. The doctrine declares that the head of the Church, the Sovereign Pontiff, exercising the office of supreme head of the Church, IN MATTERS OF FAITH AND MORALS as contained in the Scriptures, as revealed by Christ and contained in the apostolic traditions, cannot err, not because his nature has been changed, but he cannot err, when thus acting in such matters, by the divine assistance that is thus given him—that is, when he has fulfilled the office of Peter, Prince of the Apostles, in teaching the Universal Church the things of morals and of faith revealed by Christ, the assistance of God will be with him to keep from error. But in politics, in business matters, and the government of his own State, in temporal affairs, in scientific subjects or literary subjects, he stands where all other men stand, and his knowledge is worth the capacity of his mind, and the education it has received. God has never promised to be with him under such circumstances nor in such cases.
>
> And now many minds are much troubled outside of the Catholic Church. Why were they not troubled when the Church was declared to be infallible? They were more willing to admit the infallibility

of the Pope and 500 Bishops than the infallibility of the Pope alone. The question is not about the power of infallibility, because the God that can make 500 Bishops united together infallible, is just as able to make one infallible, and when you bring 500 together, and they discuss a point as Catholics understand it, the result of their discussion and the result only has divine assistance. But men seem to think that in this gathering of 500 men there was a certain amount of security. There was just the amount of security that you would find in our Halls of Congress. A body of men assembled, having no promise of divine assistance, they might study, they might examine, they might discuss matters and come to a decision, but this decision might be as fallible as the decision of a single one; and so 500 Bishops coming together, unless the divine power, that was promised by Christ, was with them, they are just as liable to err as any other 500 men. And when we speak of the Council and its decision being infallible, it is not because there was a gathering of 500 learned, and wise, and able men, but because we looked for the Spirit of God to come down and rest upon the counsels of those men, so that the decision that went forth was not the act of a simple gathering, of the united wisdom of those men, but it was something that had within it power, light, and knowledge from the Spirit of God. The decision given out was an infallible decision, because it was in accordance with the Spirit of God.

And now, when the Holy Father, acting in the capacity spoken of, not writing letters, not discussing the matter as a theologian, but, when addressing the Universal Church, not an instruction to this Bishop or to that one, but giving a solemn definition to the whole Church in matters of faith and morals as contained in the Scriptures and the Apostolic traditions—therefore, there can be no revelation, no inspiration, no new religion, nothing else than the deposit of faith which Christ left on earth—and when speaking thus and of these things, his definitions are infallible, they cannot err, they are the true doctrines. The doctrine then and thus given by the Holy Father is the true doctrine—the very doctrine which Christ our Lord gave.

Now, you will say, there was a variety of opinions and much disputing among the Bishops with regard to this matter. Well, there was; and what was the point of the dispute, and upon what did they differ? It was whether, in making these definitions, the Holy Father should consult the Bishops just as in the Council he has consulted them. And whilst in the text of the definition, in the first part of it you will notice, when it is properly placed before you, we are told, in the past this the Holy Father has always done and, no doubt, to the end of time he always will do. But the definition does not admit that this consulting of the Bishops is at all necessary to his rendering of an infallible definition. Some said it was. The smaller number said it was. The much greater number said it was not, and the result of the discussion and the defini-

tion that comes to us explicity and clearly is that it is by no means necessary on the part of the Sovereign Pontiff to consult the Bishops before rendering an infallible definition on faith and morals. Some might say: "But since his present condition differs but little from his former one, why pass this definition and bring up the question, and so excite the minds of men?" The minds of men will be excited by something or other to the end of the world, and many judged it expedient that this definition should be passed to prevent trouble in the future, such as has arisen in the past. Now, for example, this is the first Council in 300 years, but during that time heresies arose—in Europe more than in this country. Men's minds are taken up with religious questions; sharp, acute minds work upon philosophical subjects, and in bringing out these philosophical subjects they trench upon the ground of faith. It is the peculiar office of the head of the Church to be ever ready to note when the faith is being assailed and to warn the Church of it and guard her from danger. This is the office of the Holy Father. This office he has always been exercising within the last 300 years. He has performed this work steadily, and as decision after decision has been given out, his definition has been received by the Church.

Now, I think I have said enough to you this evening to enable you to give a ready answer to those who seriously assail you on this point. Many think it a capital subject to joke about, a subject of religion!—a question that concerns the saving of men's souls to be made a plaything of and the jest of the hour! It is often a man speaks to you seriously, and many of them do honestly and sincerely, as they have spoken to me, and wondered how we could make a man infallible, make him like God. That curious idea has worked itself into the minds of many that the Pope can err in nothing, whereas God's mighty hand will not permit him, who occupies the chair of Peter, to lead us astray. It is for us, surrounded by those in the world who are constantly throwing out doubts to confuse the teaching of the Church, it is for us and for our guidance that God's power is promised to us.

He appointed Peter, and Pius IX succeeds Peter. Christ is the head of our Church. Christ is the chief above the Pope, and rules and directs all, and Christ promised that he will guide this man in the right way, so that no uncertain, no doubtful, no false or erroneous teaching can come from his lips, when as head of the Church he speaks to us of the divine revelation which Christ, his Father and ours, gave to us throughout the world. Can that man be a sinful man? Yes. The definition has nothing to do with that. Not one Bishop standing in that Council but would have laughed at the thought that we meant to say the Pope could not sin. Many of the Popes in the past have been wicked sinners. No other promise was given but the one this definition speaks of, and which it defines namely: that in teaching the flock, teaching the children of God according to the revelation given, God's power will preserve

him from teaching error. That is all. *I have now no difficulty in accepting the dogma, although to the last I opposed it; because somehow or other it was in my head that the Bishops ought to be consulted,* and I know, my friends, that all you want is the truth of God's Church, and when the question so long unsettled was settled, it was a relief and a pleasure to the minds of many. It presents no difficulty to one who ever believed that the Church was maintained in its power of teaching the truth by divine assistance; but to one who believed that the councils and their decisions were merely the collective wisdom of a body of men that met to keep things going right, then such an one has a new faith to accept. But for the Catholic who believed that God's power was in the Church from the beginning to this day, whether the Bishops were with the Pope or not with him, in his definitions, they are always ready to yield when a definition is presented to a body of the faithful for their acceptance.

I regret that you should have so much annoyance by idle and sometimes malicious people, and the writings of papers and books. Now have we not enough to do, each one in his own place, to show forth the truth and the power and the glory of his own religion, without making the pulpit ring with the abuse of others? We ask of everyone who feels that he has the truth to defend, uphold, and propagate that truth. The religion that cannot be upheld, and defended, and propagated without reviling and calumniating others, at once and wholly bears upon its face the mark of error. Neither now nor at any other time shall any word of hardness or bitterness, or calumny, or misrepresentation against the Methodists or Presbyterians, or Episcopalians escape my lips. That is not my work, that is not my office. I could take up their books and their history and take up the newspapers and see where this member of their church has failed, and that one gone astray, and disgust everyone who has the feelings of Christianity in his breast, disgust you with such matter Sunday after Sunday. Here my priests and myself will be to teach you the one true religion of Christ Jesus our Lord; and if others think they have the one true religion, then let them show it to their people, and let their newspapers and pamphlets ring with the truth of their doctrines, and let them go their way, we shall follow ours.[34]

The sermon gives absolute proof of the adhesion of Bishop McQuaid to the Vatican Council's definition of Papal Infallibility. He also put the matter clearly and succinctly in preaching at the laying of the corner stone of St. Mary's Church in Auburn: "There is a wide difference between one who merely pronounces his own views and one who comes clothed with authority, speaking not his own opinion, but divine truth. A year ago had I spoken to you, standing here,

I would have given you my views, my opinion about infallibility. I would have told you that I thought the Pope and the Bishops were infallible. Today, I tell you, on the authority of the Church, that the Pope alone is infallible."[35] This dogma was also commemorated by the parchment placed in the Corner Stone:

> On the 18th day of Sept., in the Year of our Lord 1870, Pius IX occupying the Chair of St. Peter; the first Oecumenical Council of the Vatican yet in session; the infallible authority of the Vicar of Christ upon earth having been declared; the Right Rev. Bernard J. McQuaid, first Bishop of Rochester; Rev. M. J. Loughlin, Doctor of Philosophy and Theology, Pastor of St. Mary's Church; Ulysses S. Grant, President of the United States; John T. Hoffman, Governor of the State of New York; Eli Gallup, Mayor of this city; P. C. Keely, Architect; John Adam and John Pollock, Masons; This corner stone of a church, to be erected in honor of Almighty God under the patronage of the Blessed Virgin, was blessed and laid by the above named Right Rev. B. J. McQuaid, amidst a vast assemblage of the clergy and laity, and with great rejoicing of the whole Catholic people.[36]

These professions, it is true, were all local. When, however, opportunity offered, the Holy See itself received a testimonial of his faith in the newly defined dogma. The twenty-ninth anniversary of Pius IX's coronation was June 21, 1874. The previous day Bishop McQuaid sent the following dispatch in Latin to the Pope:

> Rochester, June 20, 1874.
>
> To Pius IX, Rome:
>
> The Bishop, clergy, and the faithful of the Church of Rochester pray for many years and triumph over the enemies of the Church for the Most Holy Father, the Vicar of Christ, the Successor of Peter, the column of the Church, the Infallible Doctor, the invincible defender of justice, on the anniversary day of his coronation.
>
> BERNARD MCQUAID,
> Bishop of Rochester.[37]

If Bishop McQuaid sent earlier dispatches of this kind on the anniversaries of the accession of Pius IX, they did not find their way into the public press, where, however, several years before this dispatch there had appeared a Catholic Protest against the usurpation of Rome by Italy as the Capital of the new kingdom. This was sent to the Pope after its adoption in a meeting which assembled in the Cathedral, November

11, 1870. The clergy and laity of the Diocese of Rochester addressed his Holiness, Pius IX, in the following terms:

The Catholic Clergy of the Diocese of Rochester, both secular and regular, together with their faithful people, approach the foot of your apostolic throne, and offer to your Holiness, in the present trying time, this avowal of their homage and obedience to the See of Peter, of their filial affection and spiritual allegiance and devotion to your august person so inexpressibly dear to them, and of their sympathy with you in the afflictions and outrages to which you, and in you the Catholic Church, as the Holy Spouse of our Lord Jesus Christ, are at present subjected by faithless and unworthy members of that Church whose Supreme Pastor you are.

With the indignation of honest men, who respect no less the obligation of laws and treaties than the rights of nations and legitimate rulers, with the just and religious abhorrence of Christians who revere the sacred sovereignty of the Holy See over its temporal domain, we repudiate and condemn the lawless injustice which has invaded your legitimate dominion as a Sovereign Prince.

We also denounce the sacrilegious violence which has assaulted and brought under captivity the sacred person of your Holiness, the Vicar of Jesus Christ upon earth, and as such entitled by divine right to complete liberty in the exercise of your sublime office, and by the most perfect of human rights to civil princedom, a necessary safeguard and bulwark of that liberty. Moreover, as citizens of this republic, the United States of America, whose constitution and laws recognize the liberty which the Church has received as an inalienable right from Almighty God, we protest against the violation of religious freedom and the rights of conscience which has been perpetrated in the desecrated name of liberty.

We also protest against the invasion of the liberty of the Church in the person of its head, both as an outrage against the sacred prerogative of your Holiness as Supreme Pontiff, and as the violation of a right which we, as Catholics, possess, of being governed by a Chief completely exempted from and independent of all civil authority, for in no other condition could our intercourse with him be free and unrestricted.

In the full sincerity of our loyal and Catholic hearts, we promise to continue faithful to your Holiness and to the Apostolic See at all times; but especially in periods when distress and trouble like the present oppress the Church. We ask your Holiness to accept the assurance that we will not cease from making every effort in our power to aid and assist you in the maintenance of your just rights, and the fulfillment of your arduous duties; and that we will continually pray to God with a confidence greatly strengthened by the example which your Holiness has never failed to set before us, that He will deign to give to you and to the See of St. Peter

another triumph more signal and illustrious than any of the past victories of the Church over the gates of hell and the powers of darkness.

Finally, we humbly implore the prayers of your Holiness for our steadfastness in the faith, and our eternal salvation, and your Apostolic benediction upon the Diocese of Rochester, and upon each and every one of us, your devoted children.[38]

Despite Bishop McQuaid's clearly stated adhesion to the definition of Papal Infallibility, enemies later seized upon his position in regard to this question at the Vatican Council to prejudice Rome against him. He wrote of their efforts to Bishop Corrigan of Newark, June 4, 1880:

Some imagine that I am on the list for New York. Efforts will be made to defeat my chance. Just as a year ago I was maligned at Rome when it was expected that I might get the appointment to Cincinnati. Then I was attacked on the Infallibility. Two letters from Cardinal Simeoni indicated clearly that my adhesion to the Vatican Council can be questioned. Now it so happens that few bishops have published these decrees, caused them to be read to the people, and circulated in pamphlet form. In 1875, in publishing the Jubilee, I issued a letter and joined on to it these decrees in full, using Cardinal Manning's translation. My last letter to the Cardinal showed him plainly how I stood, but that I would not submit gracefully to the calling in question of my faith and honor at the instigation of unknown assailants.[39]

These men little suspected that Bishop McQuaid himself had been working to effect precisely what they were plotting to do. He had just succeeded in some important work at Rome for the good of the American Church, but in the course of it had been stricken down with a malignant typhus fever. He escaped with his life, but returned to his Diocese with a running sore on his right leg. The Bishop later revealed that, at the time, "several doctors advised me to wind up my business, as I could not possibly live over two years."[40] These circumstances were not favorable to Bishop McQuaid's acceptance of a promotion to Cincinnati, where the bankruptcy of Archbishop Purcell's brother had involved, in financial ruin, the Archbishop himself as well as some diocesan churches and institutions. In fact, when Bishop McQuaid had been consulted by the Propaganda he "replied simply that, not knowing the details of the case, he would advise merely that the resignation of the Abp. be not accepted and that the settle-

ment of the financial trouble be referred to the Bishops of the Province."[41] This did not prevent Bishop McQuaid's name from being mentioned as co-adjutor to Archbishop Purcell. When he arrived in Rochester, he heard a great deal about the matter, of which he took occasion to write Bishop Corrigan, May 30, 1879, as he had been unable to visit him at Newark on his return to America, "fearing lest I should have to walk and fret my sore leg."

> Rochester was full of the news of my promotion to Cincinnati. The papers stated that a special despatch from Rome gave semi-official notice of my appointment to the Coadjutorship. The affair is beginning to look quite serious and threatening. I will write to Cardinal Simeoni today and try my best to avert from my shoulders this great calamity.
>
> I will also urge our Cardinal to write at once. If the appointment is once made, it is almost impossible to effect a change.
>
> It seems hard that after my thirty odd years of incessant toil, without rest, just as everything at home had been most pleasant and agreeable, new burdens should be thrown on me. Neither mind nor body is as capable as formerly.[42]

About a fortnight later Bishop McQuaid felt very confident that he was not "the victim destined for the Cincinnati sacrifice." He had been successful in getting word to Rome from himself and from Cardinal McCloskey in time, as he informed Bishop Corrigan, June 13, 1879.

> Card. McCloskey wrote to Card. Simeoni that, in my present state of health, it would be very unsafe for me to assume such heavy responsibilities. Dr. Hostlot wrote on the 26th of May, at which time nothing had been done. He said that, if anything was done affecting me, he would telegraph. As no despatch has come so far, it is certain that my letter to the Card. & Card. McCloskey's will have reached Rome before any action is taken . . . . . .
>
> My health has improved considerably since I was in New York, having spent most of my time at Hemlock Lake. My leg still troubles me, but it is healing slowly. Otherwise I might say that I am better than before my sickness. I have no objection to the recovery of my health so long as there is no doubt of Cincinnati.[43]

Providence was evidently in favor of Bishop McQuaid's determination to stay in Rochester. Bishop Gilmour of Cleveland has revealed the circumstances of the case in a letter addressed to Cardinal Gibbons, September 29, 1879:

It seems the former list for the coadjutorship of Cincinnati never reached Rome. So Card. Simeoni directed a new list to be sent on, saying Rochester strongly objected to go & Little Rock had signified his unwillingness to leave where he was, at the same time, through Dr. Hostlot, saying he (Card. S.) "thought it was too soon to change Mgr. Chatard."

Little Rock, however, wrote the Most Rev. Archbishop of Cincinnati that on further reflection he had determined to let matters take their course. Under these conditions, we met with the following result.

Bp. Elder, 1st, Bp. McCloskey 2, and Bp. Fitzgerald 3. Bp. Elder unanimous, Bp. McCloskey 4 to 3, Bp. Fitzgerald 6 to 1. Now we said: If Bp. Elder is unanimous, & the Archbps. urge, Rome may change, & we are pretty sure he would accept.

Matters are now so gravely serious in Cincinnati, and so few are really equal to the task that we thought Rome might be induced to send him, as he is decidedly the man, & would at once bring confidence for the spiritual at least, perhaps equally as dangerously menaced as the temporal. He would be accepted by all and would have the active cooperation of all the suffragans.[44]

Rome apparently came to realize all this, as Bishop Elder, the first candidate on the second list was finally transferred to Cincinnati. Some legendary lore has gathered about this promotion, against which Archbishop Elder himself warned Cardinal Gibbons, March 27, 1896:

May I caution your Eminence against a mistake, which has been published more than once, to the effect that I refused the rich diocese of San Francisco & accepted Cincinnati. I never refused San Francisco. When Mgr. Allemany asked whether I would consent to go there, I answered that I had no wish to leave Natchez; but if the Holy Father wished me to go to any other place, I would go. I received the Bull transferring me to *Avara*, & exempting me from residence there; but *without any Bull* nor any informal direction *to go to San Francisco*. It was just after the desolating Yellow Fever of 1878, in which we lost six Priests out of twenty-five, leaving only nineteen. So I wrote the Holy Father that I was willing to go wherever & whenever he wished; but I felt it my duty to let him know the condition of the diocese, and that, in my judgment, it would be disastrous to religion for me to leave just then. The Cardinal Prefect answered that I should remain for the present and should let him know as soon as the condition of the diocese would allow a change. Accordingly I wrote him in August 1879; & I heard no more until I was told to come to Cincinnati.[45]

Even if there had been no sickness at the time, there is reason to believe that Bishop McQuaid would have opposed,

on principle, any translation of himself from Rochester to any other See. He was as faithful to his poor little Diocese as Bishop Fisher had been to the small Diocese of Rochester in England. Bishop McQuaid, therefore, not only adopted the old episcopal arms of the English See with a slight modification, namely the change of the pilgrim's shell on the center of the St. Andrew's Cross to the shamrock, but he also followed the example of the saintly Bishop, who declared: "Although some others have greater rents and fatter benefices than I, yet I have in stedd thereof less charge and cure of soules; so that when account shall be made of both (which undoubtedly will be verie shortlie) I would not wish my self in better state of livinge ye valew of one heare." An old life of Bishop Fisher shows that these words were not an empty profession, but a real principle of conduct for him: "For, although he was after at one time offered the byshoprick of Lincoln and at an other time ye bishoprick of Elye at the handes of king Henrie the VIIIth, any of them both being a far greater livinge than Rochester was, yet would he never accept such offer in that respecte."[46] Even before the Cincinnati coadjutorship, Bishop McQuaid's convictions had been tested in this regard. When the Diocese of Newark became vacant by the translation of Bishop Bayley to the archbishopric of Baltimore, he refused to allow his old Bishop to put him on the list for the See where he had labored so many years, with disinterested zeal, until his nomination to Rochester. At the banquet following the consecration of Bishop O'Connor, he humorously told the assembled clergy that it was lucky for a number of Bishops that he had not accepted Newark, as there would have been no chance for their appointment with his determination to live a long life. Bishop Corrigan would not have become Bishop of Newark, and then Archbishop of New York. Bishop Wigger would not have had the opportunity to succeed Bishop Corrigan, nor would Bishop O'Connor have been able to succeed Bishop Wigger, as Bishop McQuaid was still alive to hold his See.

If Bishop McQuaid refused to take the Diocese of Newark, he did not hesitate to put into that place the one whom he knew to be the right man, his own successor in the presidency of Seton Hall, who had been intimately associated with

himself in the educational work of that institution. No greater tribute could have been given to Archbishop Corrigan's work there than was given by Bishop McQuaid at the Month's Mind of the dead prelate:

> I speak of what I know well. No young student of that Seminary was more observant of rule than its director; no one kept there more faithfully the hours of study and of rest than Dr. Corrigan. In those four years his life was beautiful, simple, truly pious, devoted to his work and to God; no evidence was there of any desire to distinguish himself or to rise above others, warranted by his superior ability; no evidence in those four years other than that he meant to be a professor there to live and there to die. When at length, in the providence of God, he was called to take charge of the college and seminary, in succession to the former president, his Bishop, when spoken to, said: "I cannot place him there; he is only a girl." One who knew him well answered: "He may be a girl in appearance, but he is a man of God in his soul and as firm as a rock." And so he was almost forced into office as president of college and seminary and vicar-general of the diocese.
>
> In three or four years, Bishop Bayley of Newark was removed to Baltimore, and a successor had to be found. When the name of Dr. Corrigan was mentioned, there was a smile on every one's face. "How can we think of making him a bishop?" His own Bishop did not desire him for a successor, quite the contrary, for he had another choice. But when the matter came before the Board of Bishops, I spoke from my certain knowledge and assured the bishops that they had little comprehension of the capacity and learning and the strength of will-power of that mere boy, as they regarded him; and upon the pledge of my word in ten minutes he was placed first on the list.[47]

When the news of the appointment arrived, Bishop Corrigan himself made the following entry into the *Diocesan Register of Newark* February 11, 1873: "This afternoon a telegram from Jas. A. McMaster announced the appointment of the new Bishop of Newark. The Bishop of Rochester was in my room when the despatch came and very kindly allayed various misgivings, doubts, &c., showing that the difficulties in the way had already been weighed, and the means of overcoming them provided. All who were subsequently consulted in the matter having answered in the same way,—in due time, the great cross was accepted in expiation of sin, and as a means of obtaining the Divine Mercy by a life consecrated to His honor and glory. *Qui incipit opus bonum, ipse perficiat*

in diem Xti Jesu. Amen." When the official papers reached the new Bishop, and this fact was communicated to Bishop McQuaid, the latter wrote March 19, 1873: "It is not necessary that I should congratulate you on your new dignity and office, for you know how I feel. I must rather congratulate you on accepting so promptly a burden from which you could not escape, and which you would not lighten by causing needless delay in assuming."[48] Bishop Corrigan then invited Bishop McQuaid to preach at his consecration receiving the following reply, April 6, 1873:

> For many reasons I would gladly back out of the preaching on the day of your consecration. But for the reasons why I should not attempt to preach, there are so many others why I should put aside every consideration but the one of complying with your request, that I yield and promise to do my best on the occasion.
>
> Dr. O'Gorman has invited me to his house, and by accepting his invitation, I relieve you of all thought of taking care of me in a city in which there are no hotels.
>
> The question of V. G. is so delicate that I prefer to give no opinion on the subject, especially as I can suggest *nothing better* than what you propose. If I did not know that you have a mind of your own, I would dread the appointment in the highest degree, for both have wills and *notions*, curious and strong.
>
> The arrangements for the college will do well. James may develop into something yet, as he has already improved a great deal. Mr. Salt has admirable qualities and is the making of a fine and useful priest.
>
> Your appointments will not give much satisfaction to a certain clique or faction, but you will be able to bring all such to a right understanding of their position. Two have already written me to interfere against the appointment of Father Doane; one received no notice, and the other found no consolation in my reply. Priests, who want the control of the nomination of Bishops and then direct the government of their Bishop, have a great deal to learn, even though they studied in Rome.[49]

Bishop McQuaid kept his promise, and did the very best he could do. For Bishop Corrigan, in noting his consecration in the *Newark Diocesan Register,* wrote May 4, 1873: "McQuaid preached the sermon, the last part of which was most touching and exquisitely beautiful."[50]

When the Diocese of Newark became vacant again by the translation of Bishop Corrigan to New York, some circles within the Diocese manifested considerable unrest. In writ-

ing of his acceptance of Father McNulty's invitation to preach at the blessing of the new school house in Paterson, Bishop McQuaid incidentally remarked in a letter to Bishop Corrigan, November 1, 1880: "Father Mac is greatly troubled over the plan followed in the choosing of candidates for the mitre. I reminded him of his former choice for Newark—the gentleman who is now in North Carolina. This was rubbing it in pretty hard."[51] Attempts to influence the choice of candidates did not cease. Bishop McQuaid, therefore, had occasion to write Bishop Corrigan, February 11, 1881: "Father Henessy's report that Father D. would not be the new Bishop of Newark was by inference. He and Father McNulty were plotting a meeting in opposition to Doane's appointment as a counterpoise to a meeting in his favor by younger priests. I remarked that they would do well to keep quiet, mind their own business, leave the nomination where it belonged, and all would come out right. From my asking Father McNulty what names he could suggest, he may have seen that I did not favor D's appointment."[52] It is said that Father McNulty considered "only one worthy to be chosen, and that is Dr. Wigger of Madison."[53] It was not, however, then a question of choosing one Bishop, but two, as the Diocese of Trenton had been divided from Newark. The Bishops of the Province had put Reverend Michael J. O'Farrell, pastor of St. Peter's Church, Barclay Street, New York City, first on the list for Newark and Dr. Wigger first on the list for Trenton. In regard to the Newark list, Bishop McQuaid wrote Bishop Corrigan, May 27, 1881: "If the first on the list is appointed, I think he will take an interest in the College. He will be able to unite some elements in the diocese with others over whom you have more influence, and thus together be able to make a big effort toward clearing off the debt on the College. I will talk over some thoughts of mine when I see you next week. Considering the financial condition of other Colleges, Seton Hall is in very fair shape."[54] The Roman authorities did not do what was expected of them by the Bishops of the Province, and Bishop McQuaid expressed his surprise at the fact to Archbishop Corrigan, August 31, 1881: "I have scarcely got over the mystification occasioned by the transposition of the names for Newark and Trenton. When I saw the official announcement

in the *Osservatore Romano,* I could no longer doubt and wrote to the Right Reverends-elect to offer congratulations, etc."[55] In fact, Dr. Wigger was appointed to Newark, and Rev. Michael J. O'Farrell to Trenton. Bishop McQuaid strongly doubted the wisdom of this step, as he informed Archbishop Corrigan, September 12, 1881:

> The more I think over the matter, the stronger is my conviction that the substitution of Wigger for O'Farrel is a mistake. All my sympathies are with Wigger, but I fear that his health and moral courage are inadequate to the demands of a diocese as large, growing, and important as Newark. However, we must hope for the best.
>
> Dr. Wigger writes to request me to preach or act as one of the assistant consecrators. It will be more difficult to obtain a preacher than an assistant; so I will accept the office of preacher.
>
> It is an unfortunate arrangement that separates the consecrations by two weeks, as it obliges us of distant places to travel a great deal or hang around New York, which would be worse.[56]

Bishop Wigger recorded his own consecration in the *Newark Diocesan Register,* October 18, 1881: "Today, feast of St. Luke, Archbishop Corrigan of N. York consecrated me Bishop of Newark. He was assisted by the Rt. Rev. Bishop Loughlin of Brooklyn, and the Rt. Rev. Bishop McQuaid of Rochester. The latter was also kind enough to preach the sermon."[57]

When the Diocese of Trenton became vacant by the death of Bishop O'Farrell, and Bishop McFaul was appointed his successor, the nomination was made in accordance with the list submitted by the prelates of the Province. Bishop McQuaid expressed his satisfaction with the fact to Archbishop Corrigan, September 19, 1894: "The appointment of Bishop McFaul is very acceptable to me, because he is the right one of the three named by the priests of Trenton, and because the Propaganda has respected the knowledge and judgment of the bishops of the Province in placing him first on the list."[58] The same regular procedure was also adopted at Rome in the appointment of Bishop O'Connor on the death of Bishop Wigger in 1901. Bishop McQuaid was again the preacher at the consecration of the fourth Bishop of Newark.[59] No doubt, it was a unique distinction to have preached the consecration sermon of four successive bishops of the

same diocese. Mindful of the fact, Bishop O'Connor later gladly availed himself of the opportunity to secure Bishop McQuaid as the preacher for the celebration of the golden jubilee of the Diocese of Newark, November 3, 1903. Bishop McQuaid was still vigorous enough at the time to preach an hour's sermon in the morning, and in the afternoon to reply to the toast: "The Old Guard—by the Last of the Old Guard."[60]

Chapter XVIII

SISTERS OF ST. JOSEPH

Bishop McQuaid had advanced a real reason why he should be allowed to go home without being obliged again to return to the Vatican Council. "The several needs of his diocese, most recently erected," demanded the continued presence of the Bishop. This was especially the case with the parochial school. Bishop McQuaid realized the crying need, as he later wrote Mother Xavier: "When a bishop's responsibilities came to me. it did not take me long to see that my first duty was to take care of the children of the people, and, as essential thereto, the establishment of a teaching Sisterhood like unto your own."[1] Some others did not see the light as quickly or as well as he, and so he had occasion to make the statement: "I am marked by some as a crank on the educational question. But it seems to me that the only hope of the American Church lies in the education of the young."[2] This had been poorly provided in Rochester, as the *Catholic Directory,* 1869, records 2056 children in the parochial schools of the five German churches, and only 441 children in the schools attached to the two churches of St. Patrick and St. Mary. Both of these had a select or pay school and a free, parish, or poor school, admitting invidious class distinctions, very distasteful to Bishop McQuaid There was no school connected with the other two Irish churches, St. Bridget's and the Immaculate Conception, nor with the French Church. Outside of Rochester, there was then a school attached to a few churches of the Diocese, but with a very small attendance. These were the humble beginnings of the splendid parochial school system which Bishop McQuaid built up in his diocese with the help of the clergy and laity, and especially of the noble, self-sacrificing Sisters.

At the time, there were various Sisterhoods already settled within the Diocese of Rochester, but dependent on outside Mother Houses. The Sisters of Charity from Emmits-

burg were established at St. Mary's Hospital, the Girls' Orphan Asylum, and St. Patrick's School, all in Rochester. The Sisters of St. Joseph were in charge of another Orphan Asylum and the parochial school in Canandaigua, and the Boys' Orphan Asylum in Rochester. St. Mary's School was under the Sisters of Mercy. The Sisters of Notre Dame taught in the schools of the German parishes in Rochester. Besides, the Ladies of the Sacred Heart maintained an Academy in the same city.[3] The very character of the Ladies of the Sacred Heart made their adoption as a Diocesan Sisterhood for the most important Diocesan work an impossibility. The Sisters of Notre Dame, who were devoted to the great work of parochial school education and also to the care of orphans, did not lend themselves to Diocesan organization, independent of their Mother House, which was what Bishop McQuaid wanted. For some reason or other, the Sisters of Mercy did not suit his plans. This left only the Sisters of St. Joseph and the Sisters of Charity from which to choose the Diocesan Sisterhood, if it was to be taken from the communities already settled in the Diocese of Rochester. Bishop McQuaid evidently was not tempted to organize the Sisters of Charity from Emmitsburg as a Diocesan Community to teach in the schools for the simple reason that they did not lend themselves to the work as he had planned it. He himself stated this in the unpleasantness that developed out of the action taken by the authorities of the Order at St. Mary's Hospital, which became known to him only after it was done. At the beginning of October, 1870, Bishop McQuaid wrote in his diary: "On my return from Springfield, learned the removal of Sr. Hieronymo from the Hospital from the visit of the new Superior, sent to replace the former one. Wondered at the folly of her Superiors and their apparent indifference to the injury they were doing to religion and to the hospital, and to the scandal likely to arise from such a removal."[4] This, added to other considerations, impelled Bishop McQuaid to write to the Superior, Father Burlando, October 14, 1870: "Having made other arrangements for the care of the Orphan girls and the teaching of the Parochial school connected with the Cathedral, you will oblige me by withdrawing your Sisters from the Orphan Asylum at your earliest convenience."[5] Father Bur-

lando did his best to make Bishop McQuaid change his request, but all in vain, as is evident from the latter's letter to the former, November 3, 1870:

Your letter of the 22nd came duly to hand. As it presented reasons why I should not insist on the withdrawal of the Sisters from St. Patrick's, which you esteemed of weight, I gave those reasons due consideration, and, at the same time, went over the motives which had induced me to desire the removal of the Sisters, and I was about giving the result of that examination, when I received your telegram of the 25th. The letter promised in your telegram came on the 28th. I have also received Sr. Hieronymo's letter of the 28th.

In the first place, let me say a few words in relation to the argument contained in your letter of the 22nd. That argument is based on a statement of the past sufferings, etc., endured by the Sisters of St. Patrick's Asylum years ago.

It so happens, that I paid a visit to the Asylum in Rochester in the summer of 1843 (?); I have also consulted with some of the earliest friends and patrons of the Asylum. Neither my experience nor their statements warrant the gloomy picture drawn by you.

In the second place, any moneys advanced by you, or the community of St. Joseph's, are moneys due by the Asylum, and, on proper examination of the same, will, as a matter of simple justice, be returned to you.

In answer to your second letter, permit me to say, neither you nor Sr. Hieronymo understand rightly the motives of my decision in requesting the withdrawal of the Sisters of St. Patrick's. Sister Hieronymo's removal alone would not have justified my request. It was but the occasion I used to ask for the change at St. Patrick's —a change, the need of which was based on many and weighty reasons.

These reasons were apparent to me almost from the beginning of my residence in Rochester. On my arrival, I found your Sisters usefully at work in the Hospital and in the Asylum. In the Asylum, they had charge of the Orphan girls, dependent for their support on the Bishop and people; and in the parochial school, they were, on account of their rules and irresponsibility to the Bishop, except in a very general way, in my way. In the Hospital, I found them engaged in a magnificent work of Charity, and only in a small way dependent on the Bishop.

Whilst the Asylums look to the Bishop very little for their support at the present time, in case of a change in the management of city & state affairs, that dependence on him might become much greater.

For the sake of the Hospital, I concluded to sacrifice my own interests and maintain the Sisters at the Asylum. From my first day in Rochester to September last, your Sisters were favored by me; the Sisters of New Jersey, belonging to the original rule of

Emmitsburg, and some of whom I might have brought to Rochester, to be established as a Diocesan Community, were not made use of to avoid offending your Sisters; everything in my power was being done by me to favor and encourage your Sisters, when suddenly Sister Hieronymo is removed from her office.

Your argument that you are in the habit of removing Sisters without advising the Ordinary has no application in this case.

This removal of Sr. Hieronymo, in utter disregard of the interests of religion in Rochester, as it seemed to me, left me free to consult the interests of the Diocese, without being hampered by motives of courtesy, or the desire to please those who seemed to have no great concern for the welfare of the Church in my Diocese.

Being thus free, I determined to ask for the withdrawal of the Sisters from the Asylum with the intention of carrying out plans that could not be carried out with your Sisters in charge of that Institution.

When, therefore, your second letter came to hand, its proposition took me by surprise. It proposed a bargain. It took for granted that my reason for wishing the withdrawal of the Sisters was the removal of Sr. Hieronymo. In so supposing, you are entirely mistaken, and I can make no such bargain.

You must study the future welfare of the Hospital in your arrangements without any reference to the Asylum. If you cared to hear my opinion on that subject, you would send Sr. Hieronymo back to the Hospital without delay. Already many minds and hearts are alienated, it will be a hundredfold worse, when the Catholic community, who still believe that her absence is only temporary, learn that she is never to return. Furthermore, the City Hospital, now being enlarged, is preparing to take away from St. Mary's much of its work.

We understand Rochester better than you, and we can assure you that you are endangering the existence of St. Mary's. Rochester is a small place; Buffalo and Syracuse, on each side of it, have hospitals of their own; and any idea of sustaining St. Mary's simply by pay of the patients, who, being able to pay, elect to go there, is a vain and foolish one.

How far I may feel warranted in continuing to keep your Sisters in St. Patrick's, and thus sacrificing our own interests is a question of so much importance that I shall hold it for future consideration Many of my brethren in the episcopate will be here in a few days, and if, on that occasion, I can find time to consult with some of them, I will do so.

You are making a great mistake in supposing that I have been offended by you in the removal of Sr. Hieronymo, and that I am acting under a sense of wounded dignity. I feel that you have done a grievous wrong to the interests of religion and charity by that removal, and only prepared to meet the consequences of that wrong, so that the harm should be as little as possible.

There could have been no serious fault in Sr. H., or you would not have offered to send her back. This was our conviction in Rochester from the beginning.

We were amazed to hear the Sisters in Rochester assigning reasons for her removal, whilst your Sisters in Baltimore gave out other reasons which we had no difficulty in believing nearer to the truth. Women will talk, you know.

You must now decide for yourself what is best to be done, as I shall decide for my Diocese according to its best interests.[6]

The removal of Sister Hieronymo had, indeed, aroused public sentiment. A meeting of citizens, Protestant and Catholic, was organized Saturday evening, October 1, 1870, in the Common Council Chamber, under the presidency of Mayor Lutes, to take whatever action was deemed advisable under the circumstances. The Protestant speakers, Mayor Lutes, Alderman Stone, etc., especially emphasized her great work of charity in the care of the sick and needy, irrespective of color, creed, or condition, which broke down all prejudice against the institution she had founded and managed since its beginning. Daniel Warner struck the key note of the meeting when he concluded his eulogy of Mother Hieronymo in these words: "The united voice of 75000 people is to have her sent back. She must be returned to us. We cannot part with her. She belongs here; her destinies, her Christian spirit belongs here. It was not right that she should be taken away in her advanced years—not to be permitted to enjoy the fruits of her labors with us. When her spirit is wafted above, let it be from our midst . . . Since she had departed, there had been a feeling of gloom pervading the entire community. The hospital does not look like the same place since she left. We must take hold of this matter in earnest, and convince the powers that be that it is right and their duty to return Sister Hieronymo to us." An appeal was, therefore, made to her Superiors in a set of resolutions drawn up at the meeting and forwarded to them.

Whereas, Rochester enjoys in St. Mary's Hospital one of the grandest and noblest works of its kind in this country—an institution that is an ornament to our city and a blessing to a large portion of our suffering humanity—a charity as extensive in its capacity as it is broad in its scope, knowing neither color, creed, nor condition in its ministration; and

Whereas, We are indebted chiefly for this hospital to the self-sacrificing Christian devotion, the persevering industry and executive skill and ability of a woman dressed in the garb of a Sister of Charity, and known to us only as Sister Hieronymo; and

Whereas, We are fully impressed by the belief that the thorough completion and success, in the future as in the past, of St. Mary's Hospital depend in a great measure upon the continued presence and supervision of her who founded it and built it; and

Whereas, Our Citizens have, with universal and heartfelt regret, learned of the withdrawal of Sister Hieronymo and her assignment to duty elsewhere by the superiors of her order; therefore

Resolved, That it is the earnest desire of the citizens of Rochester that Sister Hieronymo be restored to them and returned to the management of St. Mary's Hospital.

Resolved, That the officers of this meeting be, and they are hereby requested to cause a transcript of its proceedings to be made and forwarded to the superiors of the order of Sisters of Charity, with the request, strenuously but respectfully urged, that what is desired may be granted.[7]

The appeal was unsuccessful. In his reply to Mayor Lutes, etc., October 9, 1870, Father Burlando characterized its terms as "irresistible, if superior reasons did not oppose the realization of that project." Avowedly considerations for Mother Hieronymo's bodily welfare, after thirteen years' hard labor in Rochester, made her removal necessary:

Her mind as well as her body requires rest, she deserves it, and the Superiors feel in duty bound to give it to so deserving a veteran in the cause of Charity. She has repeatedly asked for it, and her reasonable request would have been granted before this, had not her Superiors felt that the work she had commenced still required her assistance. Now, however, that Institution has attained such a growth, that even a less skillful hand can safely carry it on, it is only right that the worn out foundress should be allowed the repose she so richly earned.

The friends of St. Mary's Hospital should consider that such an institution is the work of God, not of man; and in so far as it is a human undertaking, it is more the work of the generous people of Rochester than of Sister Hieronymo; she has only been the instrument in God's hands and the depository of the People's bounty. It is God who, in His merciful designs, selected that hallowed spot where he intended to dispense his choicest blessings to a large number of his favorites. He it is that inspired the generous and charitable to give that substantial aid which made St. Mary's Hospital what it is; without this, Sr. Hieronymo or any one else would have been powerless! Such an institution is a heavenly gift to the inhabitants of Rochester. It can only be

attributed to Him who is the author of every good gift. It is consoling to see that the people of Rochester appreciate it as such, however extravagant may be the encomiums which some of the members thought it advisable to bestow on the humble medium rather than to thank the bountiful Author of so good a work—encomiums, which would be less pardonable, had they not been the outburst of gratitude however exaggerated.

No fears can be reasonably entertained about the proposed continuance of St. Mary's Hospital. Thousands of afflicted human beings have already found relief and support within the walls of that privileged Institution, and thousands of souls found in it the way and the gate of Heaven! Will the hand of God be shortened? Will the zeal and liberality of the Citizens of Rochester and of the people of the State of New York cease to beat in sympathy for their poor and afflicted fellow creatures, because a Sister of Charity has been replaced by another Sister of Charity who is equally as capable as her predecessor? Gentlemen, you cannot, I cannot believe it. It would not be conformable to the ordinary course of Divine Providence, and it would not be in keeping with the widespread reputation of the generosity of the people of Rochester.

We keep our Venerable old Sister Hieronymo at home to help, with her valuable experience, the younger members of her Society; while she rests from her arduous duties in close union with our Lord till she be called to her eternal reward, while God will continue to bless St. Mary's Hospital and its generous supporters.[8]

Father Burlando's letter did not please those to whom it was addressed. The *Union and Advertiser,* with which the Secretary of the meeting in the Common Council Chamber was connected, declared that "he volunteered a great deal of information about the workings of Divine Providence which was already in possession of those gentlemen, but gave nothing satisfactory on the point at issue." These citizens of Rochester felt still more indignant when a second communication addressed to Father Burlando by them was absolutely ignored, as its receipt was not even acknowledged.[9] If consideration for the health of Mother Hieronymo was really the reason for her removal from St. Mary's Hospital, it was surprising how willing Father Burlando was to drive a bargain, when Bishop McQuaid requested the withdrawal of the Sisters of Charity from the Cathedral Parish. Proof of this is given by his letter to Bishop McQuaid, October 25, 1870:

After much prayer and reflection and carefully weighing in the scale of prudence the consequences that would arise from the removal of the Sisters of Charity from St. Patrick's, I have con-

cluded to send Sr. Hieronymo back to Rochester in her former position, if the Sisters at St. Patrick's are allowed to remain in the same position. I am sure that you are as anxious as I am to prevent troubles and scandals, and that you will give your consent to the measure proposed. Whether you say yes or no, either in this unfortunate affair or at any other time I meant not any offence, no resistance, no daring or slight against you, nor had I any idea of having provoked you or any one else. It was my duty I did in removing Sr. H., and I feel now I am doing my duty by proposing the arrangement I do.[10]

Bishop McQuaid was the last man in the world to allow himself to be bought off by any bargain when he had once come to a decision. Unfortunately, the recall of the Sisters of Charity from St. Patrick's did occasion troubles and scandals. Before the sermon at the Cathedral, November 27, 1870, Bishop McQuaid denounced certain false reports and slanders circulated by various persons, some from ignorance of the facts and others from malicious motives. They had spread the rumor that Bishop McQuaid was about to drive away the Sisters of Charity also from the Hospital and the Christian Brothers from St. Patrick's Academy, both of which were sheer fabrications.[11] When the newspaper report of Bishop McQuaid's remarks and additional comments of the editor reached Father Burlando, he felt justified in sending his version of the affair to Archbishop McCloskey, December 12, 1870, with the additional statement:

I feel confident that neither I nor the Sisters are responsible for the troubles which followed their removal. Much as the Sisters desired to go from the asylum as quietly as possible, the fact became known and the people naturally complained. The Bp., and the Sisters were notified two days after the Sunday of the dedication of the Cathedral of Rochester, and the Sisters left on the Friday following that establishment which cost them 28 years' toil and privations. Sr. Beatrice, the Sister Servant of that Institution, during the twelve years that she conducted the establishment, made improvements on the place to the amount of upwards of $20,000, besides maintaining and providing the personel of the house. The Sisters left St. Patrick's Asylum in excellent condition, well provisioned, and put in the hands of Fr. Early $15,000. The asylum had never been an expense to the Rt. Rev. Bps. or clergymen. The Sisters taught and worked, while the people were proud to give for an institution which was considered, as it was, a charity and an ornament to the City. Half of the ground, on which the Asylum

stands had been purchased by the fruits of the Sisters' labor and economy, the deed of which they gave to the Bishop before leaving the place.

In an interview with Mother Euphemia, at which another Sister was present, Bp. McQuaid remarked very plainly that, had the Sisters of Charity remained at the Asylum, he would have been obliged to purchase that property, as he forsaw that he would need it, and the Asylum would be transferred to another locality, but by effecting that change he had the property for nothing.[12]

Bishop McQuaid did, finally, need the land back of the Cathedral where the Girls' Asylum stood, but it remained there for more than twenty years before it was removed to a much more desirable site. Mother Hieronymo, after the completion of her annual vow, found it advisable for her to leave the Sisters of Charity of the Emmitsburg Community. On her way to join the Sisters of Charity of the St. Elizabeth's Community in New Jersey, she stopped off in Rochester to see Bishop McQuaid. He advised her to devote the rest of her life to the service of the poor, of the children, and of the orphans in the City that had seen and appreciated her great work at St. Mary's Hospital. She was, therefore, received into the community of the Sisters of St. Joseph at the request of Bishop McQuaid, April, 1871, and assigned to St. Patrick's Orphan Asylum.[13] Here Bishop McQuaid permitted her to establish the Home of Industry as a girls' trade school and a working girls' Home.[14] It was soon removed to separate quarters, and later took in also old ladies, thus gradually developing into a Home for the Aged, the greatest charity in the City of Rochester. Nevertheless, it took some time before Bishop McQuaid lived down the dissatisfaction created by his removal of the Sisters of Charity from St. Patrick's Parish, as he wrote Dr. Corrigan, who had come from Seton Hall College to assist at the Solemn Blessing of the Cathedral by Archbishop McCloskey:

I have had a rather lively time here since your visit, with not a little to annoy me. I requested the removal of the Sisters of Charity from the Asylum and Parochial School. The Brothers undertook to resent the action of the Bishop, and broke up their school, saying to the children that they would not wait to be kicked by the Bishop as the Sisters had been. Their acts and the talk of the departing Sisters, together with the ignorance of the laity and the malice of many made quite a sensation for a couple of weeks.

I would go through twice as much to bring about the change which has been effected. I shall now be able to have good parochial schools in this parish and in the City.

A school-house will be built in this Parish, another in the Immaculate Conception, and a third in St. Bridget's this coming year. Thus little by little the disgrace which now hangs over us will be removed.

The Sisters of St. Joseph, who are to be the Diocesan School teachers, are doing very well, and promise great success in their work.[15]

Bishop McQuaid had already obtained the separation of the Sisters of St. Joseph at Rochester and Canandaigua from their Mother House in Buffalo in the autumn of 1868, thus making them a Diocesan Sisterhood. An examination of their rule and constitutions had convinced him that they were better adapted than any other religious at his disposal to second his plans for furnishing his Diocese with institutions necessary for the work of God in the salvation of souls. He was especially pleased with the direction given the Sisters by their founder—to obey their Bishop as their Superior, to whose paternal charity and special care they were recommended in consequence, no doubt, of the rights given him in the management of this congregation of Sisters.[16] The individual Sisters, at the time of the separation, were left free to remain or to return to the Mother House in Buffalo. Twelve remained to form the nucleus of the Congregation of the Sisters of St. Joseph of the Diocese of Rochester. St. Mary's Boys' Orphan Asylum on West Avenue, Rochester, became its temporary Mother House and Novitiate with Mother Stanislaus as the Superior General and Bishop McQuaid as the ecclesiastical Superior.[17] The House of Major John Williams was bought in February, 1871, for $15,000, of which $5000 was paid in cash from the Convent Treasury and $10,000 by a mortgage held on the property by the Monroe County Savings Bank.[18] The Mother House and Novitiate was then transferred to this place, corner Jay and Frank Streets, after it had been enlarged and improved to adapt it to the needs of Nazareth Convent and Academy, where, it was at once announced, also a Normal School was to be established for the Sisters to fit them as teachers in the Parochial Schools of the Diocese. The new institution was formally opened and blessed by Bishop McQuaid on the Feast of the Assumption, August 15, 1871,

when the Holy Sacrifice of the Mass was also offered for the first time in the little chapel. At the close of the Mass, Bishop McQuaid made a beautiful address, of which a sketch was written from memory shortly after it was delivered to the Sisters:

My dear Children:

I was anxious that this house, this new home of yours, now approaching completion and readiness for occupancy should be dedicated to God on this day when we celebrate the Assumption of the Blessed Mother into Heaven. The house of Nazareth, where Jesus lived with Mary, His Mother, and St. Joseph, was the type of what this house, also called Nazareth, is to be.

There He received the love and devotion of Mary and of Joseph. There lived the Divine God, veiled in human form, and claiming from them the care and assistance which in His humanity He required. Now as then, in another form, veiled in the Bread of the Altar, He claims your care and devotion. Not as then, in ministering to corporal wants, but yet ministering to Jesus in the members of His family. To the dearest members of His family, because, though all are dear to Him, both old and young, His dearest ones, those whom he loves best, are the children.

Here you will care for Jesus in his little children, and the labor and the training, and the love you will bestow on them will be given to Jesus, and the life which you will lead here will be the life of the Holy House of Nazareth.

And this life, to which you are devoted, is no trifling one—it is one of great responsibility—one whose duties are to be fufilled in no careless, indifferent, haphazard sort of way, as might be with some passing action of an ordinary life, but to them you will give the best energies of mind and body.

For this end you will improve and train and cultivate all the best faculties which God has given you; to it you will give the warmest feelings of your heart.

If this were not so, the name of Nazareth would be misapplied, the name of your community would be a deception and a mockery. Of these duties in detail I need not speak today; in the years to come there will be time enough for that. And in the few words which I have spoken are contained the sum and substance of your work. All future instructions, which I may give you, can be but amplifications of what I have said to you today, and I wish these few words to go down as a tradition and a memory among you of this beautiful day—this first day in your new home.

The Holy House of Nazareth your model, the life there of Joseph and Mary your example—they ministering to Jesus—you ministering also to Jesus in the members of His family on earth.

And now, one word more—let me remind you that there is not a

> charity in all this country, Hospitals, Asylums, Refuges of any sort, which for far-reaching, wide-spread, and lasting charity can for one moment be compared with our Parochial Schools.[19]

The program traced for himself and the Sisters, on this occasion, was faithfully executed. While Bishop McQuaid used the Sisters of St. Joseph also for works of charity such as Orphan Asylums, the Home of Industry for girls and the Excelsior Farm Industrial School for boys, the Home of the Aged and, finally, the Hospital, their main work was the Christian education of the young. Weekly conferences given for years by Bishop McQuaid at Nazareth Convent were amongst the potent influences that fitted the Sisters better, spiritually and pedagogically, for this great work. More frequent opportunities to mould them to conform with his high ideals of their vocation in life were afforded when the Sisters leased the cottage on Bishop McQuaid's Hemlock Lake property as a Summer Home for ten years. This made the Bishop vacate the cottage and remove to a small house further up the hill, that he built for himself. Bishop McQuaid expressed his satisfaction at the result of the experiment the very first Summer in writing Bishop Corrigan of Newark, August 16, 1877:

> The Sisters will leave the Lake next week. They have derived immense benefit from their stay, and will return to their work full of vigor. There were 27 through the vacation, and 38 during the retreat. Father John, the Passionist, regrets that both retreats could not be given there. It is probable that the Sisters will put up a large addition to accommodate about 70 Sisters.[20]

A large frame house was later erected alongside the Cottage, giving the Sisters the necessary increased accommodations. Bishop McQuaid thus came to know the life and work of each member of the Community. This knowledge, no doubt, led him some years later to conclude that a change in the government of the Sisterhood would be helpful to its development. He, therefore, wrote to the Sisters of St. Joseph, May 15, 1882:

> It is now nearly fourteen years since this Community of the Sisters of St. Joseph began its work as an independent organization in the Diocese of Rochester. During these years, the Community has become a large and flourishing one. The work accomplished

by it, under the helping hand of Providence, has been worthy of devout religious, whose lives are truly consecrated to God for the salvation of their own souls and the spiritual welfare of those entrusted to their care.

So far the direction of the Community has been in the hands of Mother Stanislaus who has ably and successfully managed the important and responsible task confided to her judgment and zeal. But the time has come when it seems expedient to bring the government of the community more in harmony with the spirit of the rules under which it exists. The rules prescribe that Superiors shall hold office for three years, although the same superior may be elected and re-appointed. In the Constitutions of the Sisters, it is directed that such election shall take place on the Tuesday after Ascension Thursday.

The order to be followed this year is this: First, each Sister entitled to vote shall offer her Communion on the Sunday within the octave and recite daily the *Veni Creator* to obtain light and grace to be guided aright in giving her vote. Secondly, she shall hold no conversation with any one, Superior, or fellow Sister, or extern, concerning her intention; nor shall she permit any one to offer her suggestions as to how she shall vote, nor shall she disclose to any one the names she has written on the inclosed paper. Thirdly, on Tuesday after Ascension Thursday, after having heard Mass and received Holy Communion, each Sister shall write the names of three Sisters, best suited in her judgment and, according to her conscience, most capable of filling the office of General Superior for the next term. She shall place the paper in the prepared envelope, seal it, and deliver it to the local Superior for immediate and direct transmission to the Bishop. Fourthly, no Superior has any right to ask from the Sisters under her care any information regarding the vote she has given. Fifthly, the vote will be given to secure for the Community the Superior best fitted to carry on its good work, to be a source of edification to her fellow Sisters, and to further the ends for which the Community has been instituted. Sixthly, local Superiors shall collect the sealed envelopes from the members of their houses, place them all in a large envelope and, without delay, mail them to the Bishop.

You will readily appreciate the importance of your wise selection in effecting a change in the government of your Community. Much depends upon the freedom of the Sisters in giving an unbiased expression of judgment with regard to the Sisters best adapted by their virtues, prudence, experience, and ability to rule over a Congregation large and growing as is that of the Sisters of St. Joseph of Rochester. I trust that the plan here proposed will secure this freedom.[21]

Mother Stanislaus exhorted her Sisters to submit to the Bishop's directions in all humility, assuring them of her own

readiness to accept the change: "I would be a miserable religious indeed, if I could not bear it with resignation and conformity to God's will. I will try to make myself happy in whatever work may be assigned me. I have always tried to do my duty as well as I knew how. None of us can do all things perfectly."[22] After the votes were received by him, Bishop McQuaid appointed Mother Agnes Superior General with Sister M. Evangelista as assistant. A little later Mother Stanislaus, with the Bishop's permission, withdrew to a Western Diocese, where she became identified with a new foundation of Sisters of St. Joseph.[23]

Even during Mother Stanislaus's tenure of office, special courses of study had been provided for the Sisters, at times, in academic work as well as in Music and Art.[24] Nazareth Academy had made such headway by December, 1872, that the number of pupils advanced within a few weeks from fifty to seventy-five. Accomplished teachers were presented as the guarantee of a thorough English education, together with French, music and painting. As the building had been recently enlarged by the addition of a new chapel and dormitories, the public was advised that accommodations were now provided for a limited number of boarders, that "the spacious grounds give ample opportunity for exercise, and we are convinced that no more desirable institution can be found by parents wishing to obtain for their daughters superior advantages, together with the comforts and refinements of a home."[25] The following June the *West End Journal* for the first time published the prospectus of the boarding school:

NAZARETH ACADEMY

Under the care of the Sisters of St. Joseph

The Course of Studies includes all the branches of a useful and Christian education.

TERMS—Payable half yearly in advance:

Board, Tuition, Bedding and Washing, per an.	$150.00
Piano, with use of instrument ..... "	48.00
Vocal Music ..... "	20.00
Oil Painting	40.00
Board during Vacation	30.00
Entrance Fee	5.00

Books, Stationery and Physician's Fee, form an extra charge. The French and German languages and Drawing do not form extra charges.

MOTHER M. AGNES HINES
General Superior of the Sisters of St. Joseph
1882-1921

The scholastic year commences on the first Monday in September, and ends on the first of July.

A black uniform is required; also a white muslin dress and veil. Parents will see that their children are provided with requisite toilet articles, table silver, a sufficient number of changes of undergarments, &c.

For further particulars, address

REVEREND MOTHER STANISLAUS,
Nazareth Convent,
Cor. Jay and Frank Sts., Rochester.

With the day pupils thus reinforced by boarders, the time had come to conclude the school year with regular closing exercises. The first Annual Exhibition, therefore, was held Friday afternoon, June 26, 1874.[26] At the closing exercises a year later, Bishop McQuaid not only expressed his satisfaction with the notable improvement of the pupils in all their studies, especially in French, but he also announced that ample accommodations would soon be provided in the Academy.[27] When the Boarding School and Day Academy for young ladies reopened at Nazareth Convent, September 6, 1875, the addition made to the building was advertised as increased room available for boarders.[28] These humble beginnings hardly foreshadowed the magnificent development of Nazareth Academy in the years to come. Nevertheless, the school, which also had its primary and grammar departments, from the very beginning fulfilled the functions of a City Catholic High School for Girls, and under the hearty encouragement of Bishop McQuaid and of his closest fellow-workers amongst the clergy, became the equal, if not the superior, of any Public High School in the City of Rochester.

Although Nazareth Academy was their own school, the main work allotted to the Sisters of St. Joseph by Bishop McQuaid was the parochial school, which, however, was mainly in the hands of other teaching Sisterhoods in the City of Rochester at the time of their adoption as the Diocesan Community of Sisters. The system of Christian Free Schools, which Bishop McQuaid had planned for his Diocese, was inaugurated in earnest with the Fall Term of 1871. Bishop McQuaid had organized a great Sunday School parade the previous feast of Corpus Christi, June 8, 1871, to make the public of Rochester see for itself the number of Catholic Chil-

dren under his care, many of whom were not in a Catholic School at the time because of previous neglect to provide the facilities of parochial school education for them. The *Union and Advertiser* the next day described the demonstration, in which the ten Catholic Parishes took part:

> Soon after one o'clock the children of the various Sunday Schools, the members of the Benevolent Societies, and the members of the congregations assembled at their respective churches, and were soon in line to make up the grand procession, and were moving with bands of music towards the Cathedral, where the whole formed into one body and went to Jones Square. The East Side Congregations met at St. Joseph's Church. The procession from that place to the Cathedral was nearly a mile in length, walking several abreast. The whole, when together, numbered several thousand.
>
> Little girls were dressed in white with differently colored rosettes and sashes to designate the Congregation to which they belonged. Boys carried flags, and the men in the societies wore sashes and bore their respective banners.
>
> There were thousands of spectators at the Square before the procession arrived. This added made the largest gathering of persons ever seen there.
>
> When the cheers were given from thousands of voices, old and young, and thousands of flags waved, it was a rare and exciting spectacle.

Addresses were made in English, German, and French by Fathers Early, Sinclair, and De Regge respectively. Bishop McQuaid gave Benediction. The procession was then reformed and marched through State to Buffalo Street, and up Main Street to the Liberty Pole, where it was disbanded.[29] The next day Bishop McQuaid wrote to each Pastor the following letter:

> Whilst accepting for yourself my best thanks and congratulations for your exertions and labors in rendering successful the Sunday School celebration on Corpus Christi, be pleased to make known to your congregation on next Sunday my great pleasure with the children and society who took part in the procession.
>
> Say to them that their promptness in accepting the invitations to join in our great Catholic celebration as one family, the neat appearance of the children, the splendid array of men, the good order and intelligent manner of all gave me the highest satisfaction. In a special way, thank the Brothers, Sisters, Teachers, and Marshals in my name for their happy and successful efforts on that day.
>
> Our Procession showed the citizens of Rochester how many and what kind of children we have in our churches.[30]

Bishop McQuaid knew that it was necessary also to have these children in the Catholic School in order to keep them in our Churches. It was for this reason that he outlined the Christian Free School System, Sunday, September 3, 1871, to the Congregation in the Cathedral, communicating what had been actually done in the organization of these schools and what remained to be done in the near future. His remarks were reported, with additional information, by the *Union and Advertiser,* September 4, 1871, the first day of the school year:

> The principal of these schools is in the Cathedral parish, on the corner of Brown and Frank Streets. It embraces the old edifice of the Christian Brothers Academy, which is merged in the Free School, and the new structure added thereto during the present season. The larger and more advanced boys will be instructed by the Christian Brothers, and the smaller boys and girls by the Sisters of St. Joseph. A similar school opens today in a new edifice in the Immaculate Conception Parish, and schools with new houses in the other English speaking Catholic parishes will open as soon as preparatory work can be accomplished. In the German Catholic parishes, these schools, planned after the system of Germany, have been established for years, and last year they had an attendance of 2700 pupils. The average attendance in all schools of this character last year was between 3000 and 4000, and it is expected that during the coming year when the houses now in contemplation are erected, it will be fully, if not over 5000, or within a thousand or so of the average public free school attendance of last year.
>
> Taking the Cathedral School as an example, the design of the system is to give all the children of Catholic parents in the City as good a secular education as can be obtained in the public schools, and a Christian education besides. The children of all, rich and poor, will be supported by voluntary contribution made at the ordinary collection in the churches at Sunday service, each person giving what he thinks he can afford, and no person knowing what another gives. The Catholic parents of the city are acting unitedly and energetically in this matter, under the organizing and supervising direction of Bishop McQuaid who stands high among the prominent educators of the country, and whose experience in parish schools and in the Presidency for many years of Seton Hall College, New Jersey, fits him admirably for his task. The frightful growth of vice and crime, evidence of which are so plenty on every hand, impresses them more than ever with the necessity of the Christian education of the youth, and their action proves what they are ready to do and sacrifice in order to achieve the end in view. In addition to paying taxes for the support of the public free schools,

which fail to meet their requirements, they build and support free schools which afford the education they seek for their children. At the meeting of parents held in the Cathedral Parish in the Spring, to set the ball in motion, a subscription to pay the cost of the new edifice was started with $500 each by three parties, followed by a hundred and other sums of lesser amount, and the total soon reached $8000. And this may be taken as an earnest of the purpose and the spirit of the movement for Christian free schools as distinguished from public free schools.

The *Catholic Directory* of 1871 gives the attendance in the Catholic Schools of Rochester for the school year beginning in September, 1870, at 3342, but this includes the children of the Orphan Asylum and Academies, which were not really a part of the Parochial School System. The merger at the Cathedral Parish School left the Christian Brothers in charge of 227 boys in the upper classes, and put 232 boys in the lower classes and all the girls, numbering 368, under the care of the Sisters of St. Joseph.[31] The division of labor did not appeal to the local Superior of the Christian Brothers, for after a year's experiment they abandoned the school. According to a manuscript History of St. Patrick's Church "the Christian Brothers, from mistaken notions or from ignorance or stupidity of the local Director, one Bro. Francis De Sales (who afterwards left his community) and without the advice or direction of their Visitor in New York, suddenly and without due warning left the school and Rochester in the Summer of 1872." Their places were taken by laymen: D. B. Murphy, James Rowan, and Wm. E. Ryan in succession until July, 1881. After that date the Sisters of St. Joseph took full charge of the school.[32] The Immaculate Conception School, which opened September 3, 1872, had an attendance the first year of 199 boys and 271 girls, all taught by the Sisters of St. Joseph.[33] Thus the Sisters of St. Joseph were teaching in two of the eleven Parish Schools in Rochester the first year that Bishop McQuaid's system of Christian Free Schools was inaugurated. The five German Parishes, who had all their children in their schools under the Sisters of Notre Dame, with the Brothers of Mary, however, in charge of the Boys of St. Joseph's and the Sts. Peter and Paul's Schools, retained their system of school money levied directly on the parents of their pupils. The attendance in the schools of the English

speaking parishes was not at all in proportion to the size of their respective congregations. To give but one flagrant instance, St. Mary's Free School, into which the Select School and Poor School conducted by the Sisters of Mercy were merged, is credited with only 70 boys and 130 girls as the attendance of the first year.[34] There was need of some action here if Bishop McQuaid's plans were to be executed. To provide facilities "for the proper management and education of between five and six hundred children," a new school house was begun of which the corner-stone was laid August 4, 1872. Bishop McQuaid, in his address on the occasion, emphasized again his school policy:

> I have thought and preached of nothing else since I came here than Christian education. I have ever said that I would rather see the school house without the church than the church without the school house. In the future of our beautiful city, whose rapid growth will double its extent within the next fifteen years, as our new congregations spring up one by one we shall see the school arise first and then the church. I feel that in speaking thus I represent the sentiment of the whole Catholic community. The sympathies of all are with me. If some few are opposed, their indifference on such a vital matter is proof of the harm already done.[35]

St. Mary's School, of course, remained under the charge of the Sisters of Mercy, although Mr. Wm. Ryan is given as the principal of the Boys' Department in the school year, commencing in September, 1873, with Mr. R. Beggeley, etc., as a successor in the following years.[36] Nearly all the new schools, however, throughout the Diocese in the life time of Bishop McQuaid fell to the lot of the Diocesan Sisters of St. Joseph, whom he had adopted precisely for this purpose. Consequently, when St. Bridget's school was opened for the first time September 5, 1875, the Sisters of St. Joseph were the teachers of its pupils, as Bishop McQuaid had planned.[37] At the laying of the Corner Stone of St. Bridget's new Church, September 8, 1872, he had informed the people: "A church is to be built here, and when the walls go up and the roof covers it, the old edifice will not be torn down. Its bricks are, so to speak, too holy for such a fate. It will be converted into the church of the young, it is to become the school of the parish, whence will come forth boys and girls trained in the knowledge and practice of their religion."[38]

The effect of the secession of Catholic children from the Public Schools was duly noticed by their Superintendent, Mr. S. A. Ellis, in his report, September 7, 1874. There was a falling off in attendance reported by him for 1872 and 1873: "During those two years, two or three new parochial school buildings were erected, and our Catholic friends made a very determined effort to remove all the children of Catholic parentage from our public schools. While the attendance in most of our schools was not perceptibly affected—scarcely a pupil leaving them—from three of them, the Franklin (No. 6), Tremont (No. 3), and Whitney (No. 17) large numbers were permanently withdrawn."[39] Although the Catholic children were withdrawn as far as Bishop McQuaid could bring it about, he had no intention to cut off Catholic children from the benefit of the State examinations prepared by the Regents at Albany under the name of the University of the State of New York. The first venture did not prove much of a success, as the Superintendent of Public Schools, Mr. S. A. Ellis, made known in his report, September 7, 1874:

> Among those admitted to the examination in June (of this year) were fourteen pupils from private and parochial schools. Of these fourteen, only one passed the examination. This has given occasion for the charge made by the friends of these schools that we do not intend that such pupils shall pass; that, in order to show the superior scholarship of our own pupils, we connive at, if we do not compass, their defeat. Now, I am certain that I express the sentiments of all connected with our public schools when I say that, far from cherishing any unfriendly feelings towards these schools, we wish them 'Godspeed' in the work of education. This work, so far as it is well done deserves only approval, and it would be an exceedingly narrow view which would regard the public schools as the only place where a good, thorough education can be had. While we confidently believe and hold that the public schools offer the best facilities for securing a good education, it is not fair to suppose that we are hostile to private schools. For various reasons, some social, some ethical, and some religious the public schools, while they may meet the demands of the majority in any community, cannot, in the nature of the case, meet the demands or accommodate themselves to the opinions and prejudices of all.[40]

There was some compensation for the failure of this first attempt in the assurance of fair-play. Each year Catholic children from the parochial school presented themselves, under the direction of Bishop McQuaid, for these State Exam-

inations, and failure gave way to triumphant success. Gradually all the parochial schools were brought to submit to these examinations, but the pioneer for many years was the Cathedral School under the Sisters of St. Joseph, followed by their other schools in the City of Rochester and elsewhere, in the Diocese. Late in life Bishop McQuaid well remembered the beginnings of the movement:

> I have been here since the first year effort was made to bring education to the masses of Catholic children. My knowledge goes back to the time when we feared to try the Regents' examinations, and when we were afraid the door would be shut in our faces. It was not closed. And as we went on and the number of our pupils grew, our courage became exultant, for not only in our city, but in schools of neighboring cities of the diocese our pupils went forward to compete with those of the public schools. [41]

The Jubilee Year, proclaimed by Pius IX for 1875, gave Bishop McQuaid an opportunity to issue a pastoral for the instruction of his people, which was done in March of that year. The pastoral is most explicit in the demands it makes upon Catholic parents for the Catholic education of their offspring, for which a justification is found in what has already been accomplished:

> If we have any doubts as to what our duty is, we have only to consult those whom God has placed over us. They teach us that the only education for a Catholic child is that which is given in a Catholic atmosphere by God-fearing teachers in full harmony with Catholic instincts and practices. Our religion comes by hearing, is a matter of faith and not simply of opinion, and is made up of divine sacraments instituted by Jesus Christ with the observance of which, from the child's earliest days of reason and discretion, it needs to be familiar by precept and use. It is not possible to obtain the necessary results of Christian education in any other than Catholic schools. Whatever excuse may save those from sin who, so placed that they cannot possibly send their children to Catholic schools, avail themselves of the advantages of non-Catholic schools, using extraordinary pains to guard against the dangers of such places, nothing can be said to exempt from grievous guilt priests and people who, being able, fail to provide Catholic schools for their children. Many of us may yet have a serious account to render Him, in Whose eyes are always the faces of these little ones, for having cared more for fine churches than for needed schoolhouses.
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> See how good God has been to us. A few years ago our doubts and fears were all lest we should never be able to obtain Christian

teachers for our children, even if we had school-houses. What then seemed an impossibility has come to pass without noise or sounding of trumpets. From all quarters God has gathered a little army of devoted Sisters, whose success in teaching has filled our hearts with joy and gratitude. There need be no uneasiness for the future. The most difficult part of the work has thus been accomplished in the easiest manner by the mysterious hand of Divine Providence blessing every act done to guard and save the innocent lambs so dear to the heart of Jesus.

The progress made in the establishment of Christian Free Schools in our diocese is satisfactory, especially in the city of Rochester. Before the close of the present year the work will have so far advanced that every one of the eleven parishes will have ample room for all its children, and with very few exceptions, and these made up of nominal Catholics, in whose heart the true faith has died out, or is buried up, all the Catholic children of the city will be in Catholic schools.

In the course of the year new schools will be opened in Geneva, Brockport, Avon, and other places. We give praise to God for the zeal in the cause of Christian education manifested by the clergy, and for the ready and generous co-operation of the laity. What has been accomplished in a short time shows plainly that before long there will be no parish in this diocese without its Catholic school.[42]

The last sentence was too optimistic. Even Bishop McQuaid was not able to provide schools in some of the small towns of rural districts, that were sparsely settled. Moreover, what Bishop McQuaid had accomplished was not done without trouble, as is evident from a letter he wrote Archbishop Bayley of Baltimore, June 29, 1874:

I am glad that the moral duties of priests and parents with regard to the Christian education of children are to be defined with some precision, so that we may know exactly what course to follow. It is not pleasant to be put in the power of the hosts of young fledgelings coming over from Rome bursting with conceit or to be snubbed by laymen.

What you tell me about the practice in Rome surprises me exceedingly. Rome is always sound in theory but dreadfully loose in practice, once the difficulties of the theories come home to herself. If it be true that in Rome, where Catholic schools abound, Catholic parents can send their children to State Schools such as they now have, I don't see how I can be justified in the course which I now follow. So soon as a parish is provided with ample school-room, good teachers, and free of costs, I refuse absolution to all parents who send their children to the public schools. Without approving

of the High School, I do not refuse absolution to those who send there, as we have no school of corresponding grade for our children.

The whole question will have to be settled on a well defined basis up to which we shall have to live. I do not wish to be regarded as an extremist in my views, but, if I am right, some others are wrong. The expediency of agitating for our rights is another question. It would be better for us to be of one mind and work together. I do not see any prospect of bringing about unity of action, and I keep the discussion agoing in my own way wherever and whenever I can.[43]

The decision came from Rome in the form of an Instruction on the Public Schools, issued by the Congregation of the Holy Office for the Bishops of the United States, November 24, 1875. On several occasions, information had reached the Congregation of the Propaganda that very serious dangers threatened the Catholic youth from the Public Schools. Distinguished Bishops of the country were, therefore, asked to assign the causes why the faithful allow their children to frequent non-Catholic schools, and also to recommend measures whereby the young might be more easily kept from schools of this kind. Whatever communications were received from these prelates were handed over by the Propaganda to the Congregation of the Holy Office. There the matter was carefully examined, June 30, 1875. The Instruction then drawn up by this Congregation was submitted to the Holy Father, who approved and confirmed it November 24th of the same year. The Congregation of the Holy Office declared "the very system of instructing children in these schools . . . full of danger and hostile to Catholicism." Its reasons for the statement were clearly set forth in the document, together with practical measures to meet the difficulties of the case.

Since the very system excludes all teaching of religion, the pupils of such schools neither learn the rudiments of faith nor have instruction in the precepts of the Church, and so they shall lack the knowledge most necessary to man, without which there is no Christian living. For there, indeed, are educated in such schools children of a tender age . . . . and it has been established that in this age the seeds of virtue or of vice cling tenaciously. It is, therefore, a great evil if so pliable an age grow up without religion. Besides, in these schools, separated as they are from the authority of the Church, teachers are taken indiscriminately from every sect, while no provision is made in any law to prevent these from perverting the young. There is, therefore, freedom to sow error and

the seeds of vice . . . Thus, the young are miserably exposed to have their faith damaged and their morals endangered.

Such schools, however, cannot be frequented with a safe conscience unless the proximate danger of perversion be made remote. This is demanded even by the natural and divine law itself. Moreover, the Holy Father has clearly declared it in writing as follows to the Archbishop of Freiburg, July 14, 1864: "Where.....the plan to expell the authority of the Church from the school is either entertained or carried out, and the young are exposed miserably to harm in the faith, the Church has doubtlessly indeed the duty not only most earnestly to make every attempt and never to spare any pains to provide these young with the necessary Christian instruction and education, but is also obliged to warn all the faithful and to declare to them that such schools hostile to the Church can hardly be attended in conscience." Founded as this is in natural and divine law, it enunciates a general principle, has universal application, and pertains to all regions where there has been unfortunately introduced such a most pernicious system of teaching.

Bishops must, therefore, keep the flocks committed to them from all contagion of the public schools to the best of their power and ability. All agree, however, that nothing is so necessary to this end as for Catholics to have everywhere schools of their own, and schools not inferior to the public schools. Consequently, provision is to be made with all care for founding schools where there are none, or for enlarging, improving, and equipping them better where they exist, in order to have them equal the public schools in accommodation and training. For the realization of so holy and necessary a work, members of religious congregations, men and women, shall be employed, if the Bishop so decide. To have a more willing and abundant supply of the means necessary for so great a work, there will be grave need of admonishing the faithful opportunely, in pastoral letters or sermons, or private conferences, of a serious dereliction of duty unless they provide for Catholic schools with the exercise of all possible effort. A special exhortation should be addressed to Catholics who are distinguished above others for wealth and influence, who are members of legislative bodies. There is, in fact, no civil law in those parts to hinder Catholics from training their offspring to all knowledge and piety in schools of their own, if they so decide, and so it is in the power of the Catholics themselves, fortunately, to avert the danger threatening Catholicism from the education of the public schools. Let all, finally, be convinced that it is to the interest not only of the individual citizens and families, but also of the very flourishing American Nation itself, which has given such great hope to the Church, not to have religion and piety expelled from your schools.

Furthermore, the Holy Congregation is not ignorant that there are circumstances at times, in which Catholic parents may in conscience send their offspring to the public schools. However, they

cannot do so without having a sufficient reason. It will necessarily be left to the conscience and decision of the Ordinaries whether a sufficient cause obtains or not in a particular case. It will generally obtain when there is no Catholic school, or if there is one, when it is little adapted to give the young an education fit to their station in life. In that case, the public school may be attended in conscience if the proximate danger of perversion, more or less present to the system, has been made remote. An examination, therefore, must be made of the school in question to see whether the danger of perversion cannot at all be made remote. Whenever, for instance, things are taught or done contrary to Catholic doctrine or good morals, these things cannot be heard or done without detriment to the soul. It is, indeed, selfevident that danger of this kind is to be wholly avoided with whatever temporal loss, even of life. Besides, the young, in order to be allowed to attend the public school in conscience, must receive diligently the right instruction and training necessary at least outside of school hours.

Wherefore, let pastors and missionaries, mindful of the most provident decrees of the Baltimore Council in this matter, be diligent in catechizing, especially let them take pains in explaining the truths of faith and morals most questioned by infidels and heretics; let them really strive to strongly fortify the young exposed to so great dangers both with the frequent use of the sacraments and with devotion to the Blessed Virgin; let them excite them again and again to hold firmly to religion. Let the parents themselves, wherever they may be, carefully watch over their children, or if they themselves be less fit for that, let them have others question the children about the lessons received, examine the books, and provide the antidotes if they discover anything harmful; let them keep and forbid the children absolutely from familiarity and intercourse with pupils who may be the source of danger to faith and morals.

At all events, it is manifest from Catholic moral teaching that parents cannot be absolved in the sacrament of penance who neglect to impart to their children this necessary Christian education and training, or who allow them to frequent such schools in which the ruin of souls is inevitable, or finally who, when there is a suitable school in the place, fittingly furnished and equipped, or when they have the means to give a Catholic education to their offspring elsewhere, nevertheless, send their children to the public schools without sufficient reason and without the necessary precaution to make the proximate danger of perversion remote.[44]

Bishop McQuaid felt that this was a clear vindication of his Catholic school policy, which was now at least protected from attack by Catholics through an authoritative instruction from Rome, no matter what was the practice there. The parochial schools and equipment had been provided, a Dio-

cesan Congregation of the Sisters of St. Joseph had been organized and developed, in addition to the Sisters of other Congregations and the Brothers that were engaged in Catholic education within the Diocese. Reinforceed by the authority of the decision from Rome, Bishop McQuaid was only too glad to seize another good occasion to repeat his teaching on the Christian education of the young for the benefit of his clergy and people. He did this in the pastoral of October 4, 1878, on the eve of his departure for Rome to make his official visit *ad limina.*

> All whose eyes are open—whose experience in this country embraces the last thirty or forty years—see clearly that, unless children are trained, nurtured, schooled under Catholic influences and teachings, they will be lost to God's Church. The only argument brought by half Catholics against the establishment of Catholic schools for Catholic children is the one of expense. It costs money to support school houses; so it does to build churches. The school is as necessary for the child as the church is for its parents. The late Archbishop Hughes declared that the time had come for the school-house to precede the church.
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> Better than all other expressions with regard to this obligation of providing Catholic education for Catholic children are the teachings of the Holy See, as made known in a letter addressed to the bishops of the United States. No Catholic is in harmony with the Church who maintains opinions opposed to these teachings. It is absurd to say that one bishop more than another insists on the establishment of Catholic schools. It is not left with bishops to choose in this matter. They receive commands from an authority higher than their own and know that their duty, based on their faith and conscience, obliges them to urge the maintaining of Catholic schools, wherever it is possible. The false idea that one diocese has a law on the subject different from another needs correction. The bishop, who fails to teach and enforce with pastoral zeal and vigilance the Church's law of Catholic schools for Catholic children, sins; the pastor of a flock, who, being able, neglects to provide such a school for the young ones, the weak, the helpless, the greatly exposed, sins; the members of a parish, who refuse to cooperate according to their means in the establishment of a Catholic school for their children, sin.
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> Many school-houses have been built; more are projected. The Bishop will not have done his whole duty; priests and people will not have done theirs until every important mission in the diocese is supplied with this essential help to the preservation of faith and religion in the minds and hearts of the young. In the meantime, it is the duty of all to speak sound doctrine on this subject,

precisely as the Holy See announces it. It is a betrayal of God's sacred cause to neglect this duty. He who denies the Church's teaching in one point, whether that denial is in the spirit or the letter, prepares to deny it in other points that clash with his notions of what the truth should be.

Where schools are established, such as we now have in many parishes under the excellent and devoted teachers who labor so successfully, parents, who expose the Catholic faith and morals of their children, sin before God and the Church. Their obstinacy shows the way of ruin to others, along which only too many are glad to go. No one, however, is so ready be betray the cause of Catholic education as the needy politicians seeking office. They remind us of Judas and the thirty pieces of silver.

When parents have Catholic schools to which they can send their children, punctuality in attendance, earnest cooperation with the work of the school, and due respect toward the teachers are duties for parents and children. The latter soon learn how to despise school and teachers when they hear only contemptuous remarks from their parents. It will take more than one generation to kill out disloyalty to Catholic schools in families that have not even openly apostatized.

In the districts, in which it is not possible to have a Catholic school, Catholic parents, who have to make use of the common or public school, are obliged in conscience to make sure by watchful examination and enquiry, that nothing is permitted in these schools contrary to Catholic faith and morals. To some extent they are protected in this right by the law of the State of New York, which forbids religious exercises of any kind during school hours. As any exercises that might be carried on by an over-zealous school teacher would necessarily be non-Catholic in character, Catholic parents are bound to guard their children from the efforts of these would-be proselytizers. Should the teachers and trustees be deaf to mild remonstrances, recourse must be had to the Superintendent of Public Instruction of the State of New York, whose duty it is to rebuke these bigots and breakers of the law.

After affording their children all possible protection against erroneous teaching, parents are also bound in conscience to have them instructed at home in the catechism. Sunday school will not suffice. A short lesson in catechism every day may compensate for the loss of full religious instruction in the Catholic school.

If Catholic parents realize the nature of this obligation of daily religious instruction, they would be more anxious for the establishment of Catholic schools. Yet the obligation here stated binds in conscience, and confessors who pass lightly over these serious derelictions of duty on the part of their penitents fail in their office.[45]

These directions in the Pastoral of Bishop McQuaid dealt adequately with the problem of Christian education of Catholic Children in the Diocese of Rochester. His policy was also vindicated in the Conciliar Legislation of the Catholic Church in the United States. This was especially the case with the Fourth Provincial Council of New York, which opened with the first solemn Session September 23, 1883. It was also true of the final decrees of the Third Plenary Council of Baltimore, which began November 9, and closed a month later, December 7, 1884. While the decrees of this Council were explicit enough in the directions for the foundation of a grand Catholic School System, consisting of the primary and grammar grades, high school, college, and the beginnings of a university, no National Catholic School Board was established with sufficient authority to standardize the schools of different grades by means of a general system of examinations. When Bishop McQuaid received a circular on a "Concursus of Catholic Colleges" at the beginning of 1887 from Father Magnien of Baltimore, he recalled to him that "during the Third Plenary Council a proposition to establish such a 'Concursus,' and for the reasons now brought forth, was placed before the bishops. They, after a short discussion, rejected the proposition. Its friends thought that there was unwisdom in the rejection. Still the action of the Council was final until the assembling of another council." Bishop McQuaid rejected the feasability of a mere voluntary agreement that might be reached among some, as others would not be bound by it, and so would defeat the end sought. This would not have been the case, if an examining Board could have been established by Church authority for the entire country along the lines of the system established in his own state by civil authority. He, therefore, gave the pertinent information to Father Magnien:

> In the state of New York, the Regents of the University issue examination papers to all the Academies and schools of the state that apply for them. Our parochial schools in the diocese of Rochester require all their intending graduates to stand this examination. The effect on teachers and pupils has been excellent and dispenses with the necessity of a school-board. There is no room for favor, or the smoothing over of defects, as the test of success is in the hands of strangers.
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> Whenever another Plenary Council revises its late decision and agrees to establish an examining board, independent of interested

parties, the Colleges, somewhat like the system in Great Britain, it will be my duty and pleasure to co-operate.[46]

Bishop McQuaid, through the examinations of the Regents, was able to force the other religious teachers in his schools, that were not under his immediate authority like the Sisters of St. Joseph, to measure up quickly to the requirements or to have their places taken by other members of their respective communities who were able to do so. More than once Bishop McQuaid gave generous tribute to the effectiveness of the system in this respect.[47] Besides it was Bishop McQuaid's "ambition to show to our own people and to others that our schools are as good and better than the State schools even by their own tests."[48] He always claimed that the public schools in Rochester obtained the privilege of holding the Regents' examinations for their children in their individual schools because of their notable deficiency, whereas before the graduating classes of all the schools, Christian, public and private, met in the Free Academy to undergo the ordeal in common.[49] Parochial School children continued to be examined under the direction of the principal of the Academy until Nazareth Academy received a charter from the University of the State of New York, for which application was made December 9, 1891.[50] Although the charter was granted only to Nazareth Academy, the Regents, on account of the large number of applicants from the various Catholic schools of the city, granted the privilege of examining in the preliminary branches in the Cathedral school. The January examinations of 1892 were, therefore, the first to be held, outside of the Rochester Free Academy, for Catholic Parochial School children. The papers were sent on to Albany, after being examined and marked by a committee of teachers from the Catholic schools of the City, while their pass-cards and certificates were signed, delivered, and recorded under the charter of Nazareth Academy. Thus, this school of the Sisters of St. Joseph fulfilled most important functions for the pupils of the whole parochial school system in the City of Rochester. Its efficiency was palpably demonstrated the very next year in a great educational exhibit, that was arranged on the occasion of Bishop McQuaid's Silver Jubilee of his episcopate. A School Children's Entertainment, comprising representa-

tions from all the Parochial Schools of the City, gave Bishop McQuaid the opportunity to emphasize the significance of the event:

> I regret that we have not with us today the other 6000 children of our Catholic schools of Rochester, and, moreover, I regret that the parents of all our children are not present. I wish also that we might have present representatives of the non-Catholic people of our city, and especially from among the children of the state schools. Why they are not here, you can readily understand. There is not a hall in Rochester large enough to hold them all. No, Rochester has no hall to accommodate all the people we would have wished here today to show them what we are and to let them see just what we are accomplishing in our Catholic Schools. We who are here rejoice in our very souls at what we have witnessed this afternoon. We are proud of our Catholic children, of their progress, and of the wonderful development of our Catholic schools. In the lesson of this afternoon, we have an answer to those who do not know what is going on amongst us. There was a day when some Catholics were indifferent to Catholic education, but that day is now past. It was said that Catholic education was not up to the standard of education in the state schools. We know that comparisons are disagreeable, but when taunted with inefficiency, we have only to say, "Come and see."
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> I had to listen to much that was complimentary to myself this afternoon. Now I wish to declare that my part in what has been done is, indeed, most insignificant. In my position as Bishop, I had to take the lead, but I might have taken the lead and spoken and worked until I was worn out, and the accomplishment would have been naught, had not my priests stood by my side and echoed my sentiments to the people until it came to be understood in Rochester that a Catholic education in a Catholic school is the only education fit for Catholic Children. If I must accept some praise, then the praise I am willing to accept is this,—that when the question of Catholic education for Catholics was all but dead, God gave me the courage to go before non-Catholics as well as before weak-hearted Catholics to raise my voice and point out that, if we were contented to rest with a non-Catholic education for our children, we were writing the death warrant of the Catholic Church in this country. God gave me the courage to take this position and to bear the rebuffs and the severe criticism that was passed upon me twenty-five years ago. But what cared I for criticism, knowing as I did that God was with me? Many prominent men outside of the Church believed that I would not have my people with me in this matter, and they told me so, but they did not understand the spirit of the priests and the people of the Church. No one talks that way today in Rochester, and, if in these twenty-five years, there

have been trials, they are more than compensated for by the scene of today.[51]

Bishop McQuaid also paid an eloquent tribute to the self-sacrificing Sisters, whose work in the schools for a mere pittance had made this demonstration of the efficiency of the Parochial School possible. A still better occasion to attest his appreciation of their work was furnished Bishop McQuaid, when Father Kiernan, the Superintendent of Nazareth Academy and the Pastor of the Cathedral, with his hearty approval, organized the First Diocesan Institute for Religious Teachers with courses in Christian Doctrine, Ethics, Education, Trend of Educational Thought, School Economy, Masterpieces of Art in Primary, Grammar, and High Schools, Drawing, History, Geography, Nature Study, Arithmetic and Algebra, Elocution, Language, Grammar, Composition, Reading and Spelling. In this Institute, which was in session for two weeks, July 20-31, 1896, Father Kiernan was assisted in the work of teaching by Father Halpin, S. J., Mrs. B. Ellen Burke of the Department of Public Instruction, Miss Manahan, a graduate of the Albany Normal College, Mrs. Mooney, a teacher there, and Mrs. Baird of the Teachers' Training School at Poughkeepsie. There were over 250 Religious teachers registered, including representatives from Chicago, Ill., Kalamazoo, Mich., Boston, Mass., Wheeling, W. Va., Buffalo, Elmira, and Brooklyn, N. Y., besides about 100 secular teachers and about 50 other interested visitors, among whom were about 25 priests. Amongst the Religious, there were 32 Sisters of Mercy, 5 Sisters of Charity, 54 Sisters of Notre Dame, 3 Sisters of St. Mary, and 160 Sisters of St. Joseph.[52] Bishop McQuaid addressed the Sisters at the opening Conference in the following touching words:

> I need not say that this assemblage of religious communities gives me much pleasure. It is, it is true, out of the usual order for religious communities to meet in a general conference such as this, for the purpose of listening to instructors trained in the best methods of Christian pedagogy. Up to the present moment religious communities in the United States have been holding aloof, one from another, as though their work was not identical in aim and object, as though they were not all engaged in the common cause.
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> You are all religious teachers, not simply in the sense that you live the lives of religious women, but in the deeper meaning that

your work as teachers is based upon religion and is wholly for religion. It is your constant endeavor to practice a religious usefulness by forming the characters of the souls of the children under your care, and the means to that end is the instruction which you give them, based upon the revelation of God in its fulness.

You meet here today in a spirit of unity, harmony, and sympathy. You are all Sisters, varying, it is true, in costume, in rules, and in customs, but still Sisters in a common religion and in a common cause. According to the spirit and laws of the Church, you are engaged in the work of imparting secular knowledge and religious instruction to the young of our flock. You have a common father, a common ruler, and the best superiors, all united by the bonds of religion for a common purpose. The same divine impulse dominates your life; it sustains you in moments when weak human nature is about to give way; it raises you above yourself at such times and enables you to persevere to the end.

The purpose of your life in becoming religious was that you might concentrate all the faculties of your mind, your soul, your body to the highest service of God possible for women. You were not afraid to stand before God and make a sacrifice of life in its fulness and completness. A higher sacrifice than yours I do not know, nor am I aware of one from which greater good is bound to come. Time and again I have pondered over the lives of the early martyrs of the Church and have marvelled at the power that enabled young women to face death in its most horrible forms, to lay down their lives for Christ, and with a smile to bare their necks to the knife of the executioner. But what is the torture of a moment, what the sufferings of one brief second to a life of continual martyrdom? When a soul kneels before the altar of God in early life, at a time when the world presents such bright, alluring pictures, when the ties of home are the sweetest, and there offers to Him all the bright prospects of future happiness and enjoyment, and afterwards perseveres through long years of patient toil without murmuring, without regrets, using all the energies of fresh youth and young womanhood, and even unto old age, to teach and bring forth souls amid labors and anxieties, in spite of fatigue and weariness, there indeed is martyrdom which merits the crown of the martyrs. Whenever I pass by the grave of a teaching Sister in yonder cemetery of ours, I venerate the spot as the burial place of a martyr.

The battle for God's Church in this country has to be waged in the school room. I do not mean by the children of the aristocracy, found in our academies, but by the children of the masses, those attending our parochial schools. They are the ones who will help shape the future of this country.[53]

Although the Institute was not repeated, Bishop McQuaid was glad to see the various orders of Teaching Sisters reunited in the Conference held by the Parochial School Teach-

ers of the Diocese of Rochester, July 26-28, 1904, and in subsequent annual meetings under the presidency of his Vicar General, Thomas F. Hickey, later his co-adjutor and successor in the episcopate. The Three Day Conference, since its foundation, has been laboring to improve by discussions the means and methods of instruction, and to secure by special committee work uniformity in text books, in the course of study, in examinations, and in the dates of closing. This has not, however, interfered with the Regents' examinations, which have been retained in the higher grades in accordance with the declared policy of Bishop McQuaid at the time when the Public Schools of Rochester substituted their own examinations to those of the Regents.[54] Bishop McQuaid suspected the secrecy with which the examination in the Public Schools were kept from the Public since their "return to an old abandoned system—the paternal, all in the family, all under the direction, control, and decision, as to progress and advancement of the pupils, of their own teachers." Although Bishop McQuaid admitted, in regard to the Regents' examinations, that "the questions are sometimes not sufficiently definite, and scholars are often puzzled to know what the questions mean," yet he boldly declared at the Closing Exercises of the Cathedral School, June 26, 1901:

> We propose to remain under the Regents of the University of the State of New York, believing that their system of examination has many points of commendation; that it is just and impartial; that it is open and above board; that it makes no attempt at concealments of results from its examinations; that it does not exclude from its advantages any class in the community, its chief idea being to encourage universal education among all the young in the State.
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> If the new system now spoken of shall in time be able to show better methods and marked success, it will work in with our enlarged views to adopt both systems, as we cannot afford to give any portion of the people of this city anything less than the best possible advantages, provided under the new arrangement all is to be conducted along true American lines of fair play and strict justice. [55]

Both had been shown by the Superintendent of the State Department of Public Instruction, Charles R. Skinner, to Nazareth Academy in his approval of its course of study. Steps to obtain this were made necessary by the State Legislature which passed a Bill entitled: "An act to encourage and

to promote the professional training of teachers," forming Chapter 1031 of the Laws of 1895. Section 4 contains the following provision:

> After January 1, 1897, no person shall be employed or licensed to teach in the primary or grammar schools of any city authorized by law to employ a superintendent of schools, who has not had successful experience in teaching for at least three years, etc., or, in lieu thereof, has not completed a three years' course in, and graduated from a high school or academy having a course of study of not less than three years, approved by the State Superintendent of public instruction, or from some institution of learning of equal or higher rank, approved by the same authority, and who, subsequently to such graduation, has not graduated from a school or class for the professional training of teachers having a course of study of not less than thirty-eight weeks, approved by the State Superintendent of public instruction. Nothing in this act shall be construed to restrict any board of education of any city from requiring such additional qualifications of teachers as said board may determine; nor shall the provisions of this act preclude the board of education of any city or village from accepting the diploma of any State Normal and Training School of the State of New York, or a State certificate obtained on examination, as an equivalent for the preparation in scholarship and professional training herein required.

Evidently this law also affected Nazareth Academy, as some of its graduates prepared themselves to enter Teachers' Training Classes under the control of the State. The course of study required was worked out by a Committee of the State Council of Superintendents, which met at Newburgh, N. Y., October 18, 1895. This was sent by the State Superintendent of Public Instruction to the "Boards of Education throughout the State with a circular, issued January 31, 1896, that contained the "Rulings" of the Superintendent:

> No course of study for a high school or academy will be approved for the purpose enumerated in Section 4, Chapter 1031, of the Laws of 1895, that does not contain as a minimum the course set forth above. Boards of education are at liberty to add thereto at their discretion.
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> The attention of boards of education in the cities of the State is called to Section 4 of the law quoted above. This section takes effect January 1, 1897. After that date no contract can be entered into with any person to teach in the primary or grammar schools of any city employing a superintendent, unless such person shall possess the qualifications enumerated therein.

This statute, however, is not retroactive, and will not be held to prevent the continuation in employment of such teachers in such schools as shall be, upon that date, under contract and actually teaching therein.

Nor will this act be considered retroactive in the case of students who are pursuing a course of study at the time of the adoption of the course above set forth, but such students must complete their studies for graduation under the newly adopted course.

All boards of education are requested to immediately notify this Department of the adoption by them of the foregoing course of study.

Father Kiernan, Superintendent of Nazareth Academy, called upon Superintendent Skinner at Albany to discover whether the course of studies followed in a Catholic Academy would receive his official approval, if it complied with the requirements of his circular. Mr. Skinner declared, when approached on the matter, that he would gladly approve any Academy, Catholic or non-Catholic, that would fulfill the requirements. All that was necessary to bring the course of studies in Nazareth Academy into full comformity with prescribed course of the Superintendent of Public Instruction was to add a course in Zoology, and lengthen somewhat the course in Drawing. More time was given to all other branches than was required by the approved course of studies. After this revision of its curriculum, a copy of the course of study was sent to the State Department with a request for the Superintendent's approval. The next day the following letter was received:

State of New York,
Department of Public Instruction,
Superintendent's Office,
Albany, Feb. 17, 1896.

Rev. James P. Kiernan, 70 Frank St., Rochester, N. Y.:

Dear Sir: Replying to your favor of the 16th inst., enclosing course of study for Nazareth Academy, would advise you that we have carefully examined the same, and find that it fully conforms with the requirements laid down by us in our approved course of study in reference to Chapter 1031, of the Laws of 1895, and that we hereby approve the same.

Respectfully yours,
Charles R. Skinner,
State Superintendent.[56]

Nazareth Academy would not have obtained this recognition of its high standing, if it had not been for the persevering efforts of those in charge of the Sisters' training to furnish good opportunities for study in Academic branches of learning. Outside talent had been frequently requisitioned for that purpose. There was still greater reason, after the approval of the State Superintendent, to continue this wise policy in order to maintain and increase the efficiency of the school. That very year of 1896, Dr. Hiram Corson, Professor at Cornell University, was engaged to give a course of lectures in English Literature and Voice Culture. The Sisters of St. Joseph generously extended to all interested in self-improvement the opportunity to hear him by having the lectures delivered in Cathedral Hall and issuing course tickets for two dollars and single lecture admission tickets for twenty-five cents. On the occasion, Professor J. H. Gilmore of the University of Rochester, who had also done work for the Sisters of St. Joseph along the same line, wrote an encouraging letter to the Public Press from Baker's Island, Salem, Massachusetts, July 23, 1896, as he was spending his vacation there:

> I notice with especial interest that the Sisters of St. Joseph, Nazareth Academy, have made arrangements with Professor Corson of Cornell University, for a series of lectures in our city early in August, and wish, in the interest of sound learning and thorough culture, to express my hearty appreciation of the privileges which are thus offered to the citizens of Rochester.
>
> Dr. Corson is a man of European as well as American reputation —thoroughly at home in every department of English literature; but especially familiar with Chaucer, Shakespeare, and Browning; and although, at this season of the year, many persons, who would gladly avail themselves of an opportunity to hear him, are absent from the city, he ought to be greeted by large and appreciative audiences.
>
> To those who are unfamiliar with his methods of instruction, I may say that Dr. Corson aims especially to promote the aesthetic appreciation of an author, and secures this end very largely by the intelligent and sympathetic reading of that author's masterpieces, so that his lectures are not only instructive as critical estimates, but delightful as suggestive renditions, as appreciations of
>
> "Those dead but sceptred sovereigns
> Who still rule our spirits from their urns."[57]

A decided step in advance was made a few years later, when Sisters of St. Joseph sought the advantages that secular

teachers eagerly pursue. Four Sisters took College extension courses in Arts and Science at Cornell University in the summer of 1899, and the following summer two other Sisters were sent there for work in Nature Study and Science.

While the Sisters of St. Joseph enjoyed facilities to train them for primary and secondary work at home, Bishop McQuaid made use of every journey, that he made to Europe on official Diocesan business at stated intervals, to promote the interests of his Diocesan Community of Sisters. He secured for them opportunities for training abroad. On his way to Rome in the autumn of 1878, he went to Bruges, "where I made arrangements to place two Sisters of St. Joseph in a Normal school for Religious, conducted by the Sisters of St. Andre," as he wrote Bishop Corrigan of Newark from Tours in France, November 11, 1878.[58] The Sisters left Rochester for Bruges in February, 1879. After they had completed the course, unfortunately one of them became dangerously ill. She was brought home in August, 1881, but died November 1st of the same year. A new contingent was not sent to the School at Bruges until October 1887, when two Sisters and two Candidates of the Community left Rochester for this training abroad.[59] They were still in Bruges at the time of Bishop McQuaid's arrival in Rome towards the end of the next year. Although busy with his own affairs, he did not neglect the interests of the Sisters of St. Joseph, as is evident from his letter to Mother Agnes, April 5, 1889:

> I am still here, and in all probability will be here until the middle of May, if not later. There is no use of fretting over my prolonged absence. The world moves slowly in Rome.
>
> I am trying to secure two young Polish ladies as candidates for your community. Soon there will be a church and school in Rochester for Poles. I do not wish to introduce another community for the sake of one or possibly two Polish parishes. Besides, one must be born a Pole ever to speak this language well, but Poles learn other languages easily. So, if I can get a couple of Polish ladies with a vocation and a willingness to become Sisters of St. Joseph in America, you may look for their arrival one of these days.
>
> I am also on the lookout for a suitable convent in Northern Italy, to which we can send two Sisters of St. Joseph to learn Italian. I do not care to have the Sisters learn it here in Rome for many reasons.

Since the severe cold left me, my health has been excellent. The weather, after a quite severe winter for this part of the world, is even now pleasant.

My homeward journey begins just as soon as the case pending is settled. I will not neglect to visit Bonlanden, from whose convent so many good Sisters have come to us. Perhaps, I shall get more equally good subjects. And unless it is utterly impossible, I will call again at Bruges to cheer up the exiles.[60]

Bishop McQuaid found a suitable place in the North of Italy. It was the Collegio Marcelline, established by Italian Sisters in the Villa Brignole Sale, on a suburban hill, Albaro, overlooking Genoa. The following October, two candidates of the Community left Rochester for a two years' course in this College at Genoa, from which they returned September 29, 1891.[61] These Italian nuns, whose work Bishop McQuaid highly appreciated, still attracted his attention nine years later when he was in Rome for the last time in his life. This is evident from an interesting letter he wrote to Mother Agnes, who was in Europe at the time. The letter is dated Rome, December 5, 1900:

I did not write from London because Saturday my time was taken up with Cardinal Vaughan and our visit to the Training College at Cavendish Square. Sunday morning I started for Ghent, where I arrived that same evening, writing immediately the letter you just received.

You are right in waiting until January for your visit to London, as classes will be then under way, and the practical working of the system may then be studied. It may be advisable to send over pupils to go through the full course, or to engage a thoroughly prepared teacher to go out to America to initiate the system at Nazareth. You will be able to talk over plans after an inspection at Liverpool and London.

Higher education and school methods are common talk today. We hope soon to visit the Marcelline nuns here in Rome, preparing for Teachers' certificates at the State University, exchanging their religious garb for a secular dress when at the University.[62]

This letter also shows close co-operation on the part of Bishop McQuaid, the ecclesiastical superior, and Mother Agnes, the Superior General of the Sisters, in developing the thorough training of the teachers in the Congregation of the Diocesan Sisterhood. This was all the more necessary as the Normal School for these Sisters, for which a site had been

NAZARETH ACADEMY AND MOTHER HOUSE
of the Sisters of St. Joseph
86 Jay Street, Rochester, N. Y.
1871-1920

NAZARETH NORMAL SCHOOL
for the Sisters of St. Joseph
402 Augustine Street, Rochester, N. Y.
Built in 1898

purchased as early as May 11, 1884, had been finally opened on the Dewey Avenue property at the end of 1898. The building, a large frame structure, semi-colonial in style, with broad verandas around it, was begun in the Spring, completed by the end of November, and dedicated the second day after Christmas. Bishop McQuaid also addressed the Sisters at the ceremony:

> Dear Children in Christ: I dedicate today, to the honor and glory of Almighty God, a house of virtue and piety, of study and learning. The Community of the Sisters of St. Joseph is dedicated to these works of piety, of study, and of learning . . . . .
>
> This Community, adapting itself to the diocese, in which it is found, has entered a field of work in which the care and instruction of the young is their chief object. They give their lives to God, bearing in mind the character of the sacrifice they make unto Him. They bring to His service the best powers of mind and body to be expended in the work to which He has called them.
>
> Not many years ago, the opinion prevailed that any ordinary education sufficed for the masses of the people. No energy was expended, no special pains taken to give them more than an elementary education. It was soon found, however, that in a country like ours, the uneducated and unguarded are often swept away from the faith. As well may the shepherd secure the flock by strong walls here and there. leaving some weak places where the wolves may enter and devastate the fold. As for the religious teacher, no defective education will suffice. She must be thoroughly prepared for her work by proper training in order that she may do her best to protect the young confided to her care from the dangers that beset them on all sides. If the walls are not high enough, they must be raised, if they are not strong enough, they must be strengthened.
>
> For the better preparation of the young teacher to meet the needs of the day, we are establishing here a normal religious school, first for the training of the Sister teacher only, but in time to give to the young lay teacher also the advantages they now look for elsewhere.
>
> May God's blessing be upon this house and upon all who teach and study therein that they may grow in mind and soul, in virtue and piety, in usefulness and efficiency so as to accomplish perfectly the work of their calling.[63]

The Normal School naturally became one of Bishop McQuaid's show places when he received distinguished visitors in his episcopal city. It is interesting to note the impressions made there on Abbe Klein, a celebrated French writer, who revealed them in 1904, when he published his book: *In*

the Country of the Strenuous Life. Bishop McQuaid had invited him to see the institution at work:

> I am going to show you first my Normal School for religious. It is necessary that the Sisters themselves receive a high grade of culture before they teach. A woman of initiative—Mary of the Sacred Heart—understood that among you, did she not? You did not let her do it. When I founded this diocese in 1868—for you know I am its first Bishop—there were eight poor Sisters of St. Joseph. I adopted them as a Diocesan Congregation. Today they are four hundred, and I get from them all the services I want without having recourse to distant superiors, without stumbling against rules made for other conditions. They pass the examinations of Albany, of the State Department. This is not required by the government, but I insist on it. You are going to see how they work. In fact, we visit the laboratories, the library, the study halls, where many young Sisters are reading or writing, the High Mass having been finished. All that I see, all that I hear gives the impression of serious work, of up to date methods, of intelligent studies proportionate to each one's ability. These here are destined for the sciences, even of the highest grade; those there are devoted to letters, to Latin, to different living languages. Nearly all the Sisters and Novices are of the Diocese; a small number come from other parts of America, two or three even from Germany . . .Turning to me, he said: 'If you know any young French Ladies who have a true vocation and are unable to follow it amongst you, send them to Rochester.' This invitation, very serious, is strongly supported by the Sister Superior. In all the rooms through which we pass, the kitchen included, the Bishop is received with evident joy. With the same curt spirit he ever cracks jokes, gives advice, and imparts the short blessing, when asked: God bless you, God bless you. One feels that these good religious would pass through fire at his beck, and that he is conscious of their devotion.[64]

Father Klein was a foreigner. However, a distinguished native American was also deeply impressed in his visit to the Normal School. Father Hudson of the *Ave Maria* wrote his appreciation of the fruit of many years' labor to Bishop McQuaid, in August, 1903:

> How much those Sisters owe to you! How many communities are likely to be benefitted through them! Nothing that I heard from you impressed or edified me more than your declaration, that you tried to make every Sister of St. Joseph see a soul redeemed by the Precious Blood of Jesus Christ in every one of her pupils. Higher education cannot harm our Sisters, though many seem to fear it in their case. Surely it is a narrow view, a view that *you* could not share. You have done more to raise the standard of Catholic educa-

tion in the United States than even you can realize, and I like to believe that in helping the Sisters of St. Joseph you have benefited many Sisterhoods.[65]

If Bishop McQuaid had ever hesitated to follow out a progressive policy in the training of Sisters, his scruples had long been allayed. He himself remarked in a letter to a friend, May 28, 1905: "I was often timid in urging our Sisters of St. Joseph to get out of our old ruts, but when I learned what the Popes, Pius IX & Leo XIII, permitted Sisters to do, I no longer feared any one's censure."[66] He advocated as a principle that "one month or six weeks of special training is what every Convent engaged in educational work should have. Without it teachers drop down incontinently into deep ruts. Seculars look out for this danger, why should not religious?"[67]

Bishop McQuaid was quite willing and even anxious to share whatever advantages could be obtained at Nazareth with other communities. He wrote to his first foundation of Sisters in New Jersey, the St. Elizabeth Sisters, June 12, 1904: "Nazareth has engaged a Professor of voice culture, etc., from the Boston School of Expression for the month of August. Should you think it worth while to send a couple of Sisters to take the course, they will be welcome. Very likely you are proficient in this study as in many others. Poor little Nazareth is only trying to learn things."[68] Some years later, when he heard that "Religious Communities out West are seeking opportunities through St. Elizabeth's for advanced studies," he hoped they also would "be broadminded enough to come to their aid. The archbishop of San Francisco had arranged before the earthquake to send members of one of his communities to Nazareth for a year's training in grammar school work. Sure it is all for God, we ought not put patent right restrictions on anything that is for God."[69] Nothing could be more cordial than Bishop McQuaid's letter when he heard that some Sisters were to come to Rochester from St. Elizabeth itself. He wrote them, October 22, 1907: "Your envoys will be treated royally whenever they come, letters or no letters. This is the reputation of Nazareth. Its doors are always open to religion and the hearts of its inmates ready to help other good workers in Christ's cause."[70]

Bishop McQuaid had repeatedly imported special talent from abroad for his Diocesan Sisterhood. When the Sisters of Charity at St. Elizabeth found it necessary and advisable to obtain some French Sisters to help along work, he thought it good, however, to give the warning, July 4, 1903: "Take care you dont import some who may strive for innovations that will disorganize your own methods. This is a favorable moment for obtaining some suitable subjects, willing to enter your community without seeking to absorb it. I tried that scheme at one time, and then concluded that it was better to send over to Europe some of our own to become familiar with French and Italian. German young ladies, with a vocation, but unable to enter overcrowded houses, we succeeded in inducing to come to us here to become probationers. There is little danger from such."[71] The trouble, however, was to find a suitable place abroad for such sisters. "When in England four years ago," he wrote April 17, 1904, "we examined two institutions, one in Liverpool, the other in London, as possible schools for our Sisters of St. Joseph; neither answered our expectations. But Oxford or Cambridge may offer opportunities the others did not. There will be no difficulty about a suitable convent school in Germany." In this letter, Bishop McQuaid was writing to the Sisters of Charity of St. Elizabeth about the opportunities for study at Oxford, where "there was at one time a house . . ., kept by two Catholic secular ladies for the express purpose of providing opportunities to Catholic ladies, lay and religious. About five years ago this house, which had the approval of some bishops, of many priests and noblemen, was dissolved."[72]

Bishop McQuaid saw no reason why Sisters should not strive for the highest in education: "You all believe that nothing is too good for God, and that He is entitled to the best, and that you can never give Him the best, His right, without strenuous endeavor and unyielding perseverance. Among women, especially among the Religious, many are to be found capable of attaining to the highest standard of educational work, if only time and opportunity are afforded." In fact, Bishop McQuaid believed that such education was now a necessity: "The best way to whip the devil is with his own weapons. He is using the school room and the education of

the young as his battle field and his weapon. You must meet him there and give him blow for blow." Bishop McQuaid had no patience with those who saw in study a danger for the Sisters themselves: "No Sister need dread knowing too much while she retains humility of soul and purity of motive." He relied for safety on the high ideals of their state of life: "Our Sisters ought to be the best teachers in the world of their own sex, up to any branch of knowledge suitable to them. They have the natural gifts of mind, devotion to duty and study; they have patience and gentleness; they are urged on by the highest motives; they know no petty selfishness, the bane of many souls; they live in the presence of the Blessed Sacrament." The rivalry for excellence that he saw manifest in various Sisterhoods was most encouraging: "Other communities of women have started on the race; some advancing forward and upward. Their work is broad and thorough. Thus, the Dominicans of Sinsunawas Mound, Wis., have some of their religious in Italy and Paris, taking courses in Music and Art. Two of Nazareth Sisters of St. Joseph met them in Florence, engaged in a similar work. This year several other Dominicans are to go to Florence." Such studies, however, were not judged to be essential by Bishop McQuaid: "I attach more importance to languages, mathematics, and sciences than to accomplishments, without despising the latter."[73] He found in the response of the Sisters to the opportunities open to them a revival of the place taken by women in the ministrations of the ancient Christian Church: "Sisters are beginning to see the sublimity of their calling. We are getting back to the custom of the early church, when they had deaconesses to help along the lines for which they were best fitted."[74] This was written January 21, 1908. A year later Bishop McQuaid passed out of this world, but before he died, he received Mother Agnes and a representation of her Sisters in his bedchamber, Christmas Day, 1908. Propped up in bed, he addressed to them his last word, his dying message:

> My career is nearly over, and I go to God to be judged by what I have done,—we shall all be judged by that. The humblest Sister in your community can gain as much merit as the doer of great deeds, if she but have the right intention in her work. It must be done for God alone.

Your community, Mother, is engaged in many kinds of work, but its greatest work is the education of the young. In the upbuilding of this diocese many battles have been fought, many victories have been won, but the schools are my greatest glory.

You will find in Bishop Hickey a true friend, who will do more for you than I have done. You will have no need to worry as your affairs will be well looked after. You need a more pretentious building for your Mother House, but that will come in time as everything else has come. Do not get into debt for more than you can clearly see your way to meet.[75]

Chapter XIX

EARLY SCHOOL FIGHT

It took considerable time before Bishop McQuaid could trouble himself much about secondary and higher education. On his return from the Vatican Council, his main efforts, as we have seen, were directed to developing the parochial school. He was not content merely to push on the building of schools; he was also ready to enter a big struggle to obtain justice for Catholic Schools. His public agitation of the question did not find universal favor even in Catholic circles, as he wrote Bishop Gilmour, February 25, 1887:

> You may remember how pacific and non-offensive ecclesiastics spoke of me when I raked the ashes off the smouldering school question and flamed the embers into a blaze. My own Archbishop was full of wise caution and Archbp. Bayley was afraid I was going too far. I send you by this mail a marked copy of one of our papers. The writer of the article, who is the editor himself, thinks that I was only a little in advance of my time.[1]

Bishop McQuaid began the agitation by a public discussion of the question of popular education from a Catholic standpoint in the City of Auburn, September 27, 1871. When prominent Catholics of Rochester learned of this, they respectfully invited the Bishop to repeat the lecture in their own city at his earliest convenience, believing "that such a lecture may be productive of much good in bringing together, in reason and action, the friends of true education—of that education which moulds the moral and religious character of youth to eternal ends at the same time that it cultivates the intellect for earthly uses."[2] Bishop McQuaid replied the day after he received this invitation, November 7, 1871:

> It will give me pleasure to speak to you on "Christian Free Schools", the subject of the lecture delivered in Auburn, on any evening after the 24th of this month.
>
> This country needs that *all* its children should be educated, and that the education imparted to them should be sound and wholesome, and calculated to make virtuous and law-abiding citizens.

> My voice and my exertions will always be ready in the noble cause of the education of the people.[3]

The most convenient date proved to be December 8, 1871, and Corinthian Hall was chosen as a suitable place for the lecture. Although it was only to begin at half past seven in the evening, the people began to assemble fully one hour earlier. The Hall was soon filled, and the doors had to be closed with a large crowd outside, unable to gain admission. Even the stage, to the rear of the lecturer's desk, was crowded by the overflow of the audience. Several Protestant clergymen were also on the stage as listeners. Overcrowding delayed the beginning of the lecture for some time, but quiet gradually prevailed when the Bishop began to speak. The lecture lasted two hours. Repeated applause showed the hearty concurrence of the audience with the Bishop's views. At the conclusion of the lecture, even one of the Protestant clergymen present publicly declared his support for the demand of Christian Free Schools. If all other Ministers in the City had followed his example, Protestants would not have reason to complain today of empty churches or make idle suggestions in the Ministerial Association how religion might be brought again into the daily life of the school child, attending the public schools of the City.[4] For, Bishop McQuaid expressly declared:

> Whilst we claim these rights for ourselves, we are equally strong in our convictions that the same rights belong to others. While we bring religion into our schools and mean always to have religion there, we say to our non-Catholic citizens, bring into *your* schools whatever religion you have—bring in prayer and religious singing and Bible reading. These means of good you hold as sacred and precious; we would much prefer good Protestants of any kind to infidels and deniers of all revelation; we thank God for any and all truth, wherever we find it. If but the beginning of truth today, we pray God that this small beginning of truth may grow into the fulness of all truth.[5]

Bishop McQuaid knew that the American idea, in the beginning, was education based on religious instruction. He believed that the Christian people of the State "forsook their earlier system of education to keep us from its advantages and to hurt our Church. They have hurt themselves as Christians and honest men; they have emasculated education of

all that gives it vitalizing power; they have helped to place the cankerworm of infidelity in the body politic through the children."[6] It was precisely against this that John C. Spencer, Secretary of State and Superintendent of Schools, had warned the people in 1840: "It is believed to be an error to suppose that the absence of all religious instruction, if it were practicable, is a mode of avoiding sectarianism. On the contrary, it would be in itself sectarian, because it would be consonant to the views of a particular class and opposed to the opinions of other classes."[7] However, the religious people of the different Protestant denominations showed little penitence for their support of godless education in the Common Schools, although Bishop McQuaid found ample proof that "all denominations of Christians are putting forth great exertions to found and endow Universities, Colleges, Seminaries, and Academies—institutions for the higher studies of the wealthier classes."[8] There was no disgraceful scramble then to secularize these institutions in order to qualify for Carnegie pension funds, and so the inconsistency was too glaring to escape the notice of Bishop McQuaid, who pointed it out in plain terms.

> If the rich, with all their advantages of books, many intellectual and moral associations, pleasant friends, and instructive conversation, the family's minister visiting their homes, listening to eloquent discourses in the church, &c., if with all these advantages the children of the rich, even in the study of botany and the sciences, need religious culture, need the "incidental instruction," spoken of by Dr. Anderson, how much more is it needed by the laborer's child, whose mother rises early in the morning and toils for her family while others are still in their beds, who, when the school hour comes, hurries off her child with scarcely time to say: "God bless you," who all day long labors on, busy in many ways, to keep things together and eke out a bare subsistence; whose father, in summer's heat and winter's cold, the year in and the year out, for some small pittance of a few shillings, in health or failing strength, like a machine that must stop only when it is worn out, works from morning until night, and has perhaps neither time nor strength nor patience to sit down with his children to supply the deficiencies and shortcomings of the school and church.[9]

It was here that Bishop McQuaid found the difference between Catholics and Protestants. Catholics were not guilty of such inconsistency as the Protestants who wrote "wisely,

learnedly, and beautifully on the absolute necessity of religious instruction in schools and colleges, where the young are to be educated," but "make the application of their principle only in behalf of their rich communicants." Catholics also built Colleges and Academies for the children of the richer members of their faith, but they "have put forth their strength in behalf of the poor children. These need religion and all its help in the church and at the fire-side, but still more in the school, which is the child's Church."[10] The establishment of a Christian Free School System was, therefore, a necessity, but this meant a large expenditure of Catholic money. Nevertheless, Catholics were taxed for the support of public schools, which they could not use for their children in good conscience. Bishop McQuaid labored hard to make non-Catholics see the injustice of this, and disclosed the fundamental mistakes of the Public School System:

> Instead of leaving the control of schools to parents, the State has stepped in as absolute master, monopolized education by levying ten millions of dollars to be used in its own way, in its own schools, driven away almost all competition, and trampled down unfeelingly the humble endeavor of poor parents who, in this land of freedom and equal rights, presume to educate their loved ones with that "amount and description of religious instruction," which conscience tells them is good, expedient, necessary.[11]

The State, which had no right to interfere in the religious teaching of parents and children, attempted an impossible thing by excluding absolutely all religious instruction from its schools, and so actually did interfere with "the primary and natural right of parents to procure for their children the best education they can, (and no education is worth having that leaves out religious culture,) and their duty to guard and protect the minds and hearts of their offspring, in their years of tender and confiding trustfulness, from every danger to morals, virtue, and good principles."[12] Bishop McQuaid's patriotism made him feel all the more keenly in his "heart the blot and disgrace that is upon the country by the wrong and unjust system of public schools that is now upheld in the land simply and solely by the power of the majority." The great Catholic immigrant population from Ireland, Germany, Switzerland, and France had to be moulded into the life of the nation, and Bishop McQuaid asked: "Shall we tell them

that, when they come to this country, they may look after their own religion as they please in their own churches, but the children the State will take care of, and the State will see that no religious instruction is given them?" Bishop McQuaid declared that these immigrants and their offspring would strive after the greater measure of religious liberty that they had enjoyed in Europe with religious instruction in the Schools:

> Ten or twenty years hence the issue will not be with the gentlemen from Ireland and Germany, although their right to stand here is as good as the right of any man in the country—the issue will be with the children of these men from European countries. They are the children we are educating in our schools, into whose hearts and minds there will be planted deeply the true American feeling and principle that whilse they ought always to be good and law-abiding citizens, they ought also to cherish, with all the power of their souls, the thought and the feeling that they should not submit to injustice and wrong one day longer than is absolutely necessary. It will be an unfortunate condition of things if this great and vital question of education of the people finds no solution through reason, common justice, and fair play, but must abide as it is until the majority is found on the side of justice and right.[13]

Bishop McQuaid's speech was attacked in four Protestant pulpits, Sunday, December 17, 1871. The Reverend Dr. Campbell of the Central Church stood for non-sectarian religious exercises as "highly suitable to our public schools," because "the Christian religion stands at the basis of our government and our laws." He also claimed that "both our theory and practice are quite contrary" to Bishop McQuaid's assumption of "a want of right in the State to interfere in the religious teaching of parents or children," finding proof for his contention in what was done in the penal and eleemosynary institutions of the State: "In our prisons and penitentiaries, the State supports the Chaplains to give the inmates Christian instruction. In our asylums for the blind, for deaf mutes, and in other eleemosynary institutions, Christian instruction is a part of the settled policy of the managers. And thus, in its proper place, for unsectarian purposes, the State is a Christian teacher. On this principle it is that we maintain religious exercises in our public schools." Finally Dr. Campbell, in tracing back the form of our government to the republicanism of the religion of its founders, denounced the Catholic

Church as positively hostile to a Republic, having no part in the foundation of this country, as "originally there were no Roman Catholics among us."[14] Similar sentiments were also voiced in the sermons delivered by Reverend F. G. Hibbard in Asbury Church and by Reverend C. P. Hard in the Frank St. Methodist Episcopal Church. The former admitted that the main trouble arose from Catholic objections against the religion taught and practiced in the public schools: "They will have Catholic teaching and Catholic religious service, Catholic rule and discipline or none. This is the real source of all our difficulty."[15] The Reverend C. P. Hard could see in the agitation only an attempt "to have a pretext for getting the children drilled for Rome at the expense of America," which "shall imperil our government." He, therefore, exclaimed: "We deserve that our names rot into speedy forgetfulness if we are so faithless to the interests of humanity in the coming ages of this grand nation as to cower before the unreasonable demands of a class."[16] These three ministers were all of the same type. The fourth minister to attack Bishop McQuaid's address was of a different character. The Reverend Mr. Mann of the Unitarian Church did not indulge in any abuse although opposed to Bishop McQuaid's advocacy of religion in the schools for those who desired it, as he thought moral teaching was enough for the child. Nevertheless, he appreciated the strong point Bishop McQuaid had succeeded in making against the so-called evangelical ministers: "That the teaching of religion is the chief thing in the education of the young, is what the Evangelical preachers are forever asserting. Bishop McQuaid has given them back their own words on this subject in such a fashion that *they* can hardly avoid admitting that he is right. They have never wearied of denouncing Cornell University, because it stands just where the Common School professes to stand in regard to religion, i. e., on unsectarian ground. If this condemns the University, it condemns the common school as well."[17] A communication, written to the *Union and Advertiser,* December 20, 1871, and signed W. B., gives a good general summary of the Christian School Question in this controversy:

> I have read, in the last two issues of your paper, comments on the lecture of Bishop McQuaid on the above subject in their churches

last Sunday by a few ministers. From the respectful and yet earnest manner the Bishop treated the subject, one would expect such comments made in a Christian spirit. But there are some who profess to preach the Gospel, and whose stock of Christianity is so small that a Chicago fire or a Bishop McQuaid lecture on Christian Free Schools is a real God-send to them. Such I take to be the authors, except one—Rev. Mr. Mann—of those sermons, or whatever you may call them, published in your paper. Mr. Mann is not a Catholic—I mean a Roman Catholic—nor has he any partiality, that I can discover from his sermon, for the Catholic doctrines, but he has evidently an honest heart, and he recognizes the rights of Catholics as well as Unitarians and Methodists, even though ranters like Campbell and Hard. Mr. Mann too is consistent. When he replies to the Bishop's lecture on Free Schools, he talks of Free Schools and their use and abuse, without flying off at once to Rome to attack the Pope and abuse priests and Catholics generally. So too I feel sure, when he speaks of the Gospel and Christian charity, he will not leave those beautiful subjects in a beggarly garb and fly off to the abuse of his neighbor, saying, "I thank God I am not like that man and that man."

There is no necessity for the Rev. Mr. Hard being alarmed till he is about to be hurt. There is'nt much danger of the Pope making St. Louis or any other place in this country his headquarters, although one of his humble followers discovered this country and raised the cross upon it long before the sect to which Mr. Hard belongs was dreamt of.

"Is Bishop McQuaid honest?" they ask. Can any one doubt it? Is not his language plain English, and has he not produced indisputable testimony in favor of his cause? In fact, what has he said scarcely more than to introduce Protestant witnesses? They do not ask like honest men who are anxious for the truth: "What are the grievances of which these Catholic complain?", but they come out plainly in words and action and say: "What *rights* have they *anyway?*"

Can any honest, any intelligent man for an instant doubt that, in this same Christian Free School Question, Catholics have rights which have been shamefully outraged? Surely, if a man is taxed for that from which, from its very nature, he can derive no benefit, his rights are trampled upon; and surely, if he is taxed for that from which not only he can receive no benefit, but which inculcates doctrines diametrically opposed to those he holds most dear, whether he be Catholic, Jew, or infidel, it is gross insult, coupled with the most outrageous injustice.

And these men cant about liberty, our American liberty, liberty of conscience, and all that, while in the same breath they deny this same liberty of every kind to their neighbors. They say you shall not remain ignorant if you wish to; you must be educated whether you will or not; and that is the rub, you must receive

just such education as we choose to give to you and pay for it in the bargain. This is precious liberty!

In my childhood, I went to the public schools, where the "school marm," always a zealous propagandist, could never cease in her efforts to make proselytes of the little Papists; would give us pretilly printed tracts to take home and read, which were sure to contain a frightful account of that ferocious monster, Popery, and which I never failed most heartily to despise, not from the nature of the contents alone, for I knew too little to know that they were wrong, but from the manner in which they were imposed upon me; for young as I was, I could see that narrow minded bigot was trying to uproot the beautiful truths which I learned at my mother's knee, and I hated her with a pure and honest hatred for the base and cowardly design.

Thank fortune, we are living in happier times; for we are marching, slowly but surely, on to the day when we shall have justice done us in the public schools of the land; when the majority will no longer trample under foot the rights and feelings of the minority.[18]

Another writer, a *Liberal Christian,* had intended to review in detail and weigh the arguments advanced against Bishop McQuaid's address "in favor of Christian Free Schools for the very large body of our fellow-citizens, whom he represents, and Free Schools, Christian and otherwise, as they may elect, for all other citizens." He felt, however, that the *Evening Express,* the newspaper champion of the present school system, had saved him the trouble by admitting that the replies made on Sunday from four of our pulpits failed to meet Bishop McQuaid's arguments. It, therefore, named seven gentlemen whom it judged equal to the task, suggesting that one of them answer Bishop McQuaid.[19] When, however, the Reverend Dr. Campbell, dissatisfied with the newspaper report of his Sunday's sermon, published the text of his discourse, the *Liberal Christian* thought it worth while to point out the narrowness of this minister in contrast with the Bishop's evident liberality. Both agreed that religious instruction was a necessity for the child in the school, but Mr. Campbell would only allow what he claimed to be non-sectarian, while Bishop McQuaid honestly claimed Catholic religious exercises and instruction for his own children, leaving to others equal rights and equal privileges whether they be Christian, Jew, or infidel. Dr. Campbell's religious exercises to the exclusion of all others were a violation of section 3,

article 1, Constitution of the State of New York, that expressly declared that *"the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State to all mankind."* This also prohibited such exclusively non-sectarian teaching and worship in State penal and eleemosynary institutions, notwithstanding the practice of their managers to the contrary, as two wrongs do not make a right. The *Liberal Christian,* finally, cited Maryland to show that Catholics had something to do with the foundation of this country, and referred to San Marino, the oldest, most democratic republic, formed of a people wholly Roman Catholic, nestled among the papal states under the very shadow of Rome, to prove that the Catholic Church was not hostile to a Republic. He had to call these things to mind in order "to apprise the community that a minister of the Gospel and a school master of yore, as he himself states, has yet to read and remember two of the most marked pages in the history of civil and religious liberty. What excuse has the Rev. Mr. Campbell for not knowing that about the time that Massachusetts bigotry was banishing Roger Williams because of his religious convictions, Catholic Maryland was enacting a law securing to all men the public profession of their faith and the right to worship God according to the dictates of their own consciences?"[20]

Others also entered the controversy, amongst whom the most prominent on the Catholic side at the time was Brownson, and the most active Father L. A. Lambert. The latter had great sport especially with the Reverend Mr. Saxe, a minister of the Universalist Church, who persisted in dragging in all kinds of side issues out of the past, till the *Rochester Union and Advertiser* advised the disputants to turn to the present and future and to discuss the education of children, which was not a question of toleration, but a right.[21] As for himself, Bishop McQuaid had no intention to let the matter rest with this one lecture. He naturally regretted to see anything arise to distract him from the important issue at stake, but he could not avoid assuming another obligation, as he wrote Doctor Corrigan, December 26, 1871:

> I shall be in New York to preach for Dr. Brann at the opening of his new church on the 14th of January. I could not refuse

the Doctor, although I wished very much not to burden my mind with anything but the School Question this Winter. He was desirous of having me do that favor for him, and so I reluctantly yielded. I will call to see you on the occasion of that visit to New York.

My lecture has done good. As up here it is generally a received opinion that I mean "work" when I take anything in hand, it is thought that I will not give over the agitation in a hurry. And I mean, in every legitimate way, to continue making a disturbance until we receive justice and our full rights.

I find a difficulty up here in not having ready access to sources of information. The pronouncements of the different denominations from time to time on education would be of service to me. When you make others speak rather than yourself, the effect is more felt. The failure of the Ministers to answer me is generally acknowledged.

I have only a borrowed copy of the last report of the "Superintendent of Public Instruction." I will inclose a slip, containing the receipts and expenditures of the School Fund for 1870, which will probably give the Doctor the information he wants.

What is necessary is the distribution of documents. The ablest papers, if buried in the *Tablet* and the *Catholic World* and a few other papers and reviews of a limited circulation, make no impression on the non-Catholic World. Most Americans can see the injustice of the present system, but, if we can be kept quiet, they will like the arrangement. Our own people don't understand the merits of the case and are disposed to keep quiet. 100,000 tracts on the question distributed all over the State, many of which would fall into the hands of the Protestants, and repeated every two or three months, would instruct our people, keep them awake on the subject, compel attention, and help along the great cause. Father Hecker has published an excellent tract: *Who shall have the Child?*, five thousand copies of which I will distribute through my diocese. My diocese, however, is small. You know, my dear Doctor, that, if I begin to make a stir, my natural character seems to lead people to suspect ulterior views, and jealousy is created. I must, therefore, stay at home, and let others work along in their own style.[22]

Bishop McQuaid gave the results of the Winter's hard study to the people in a second lecture, also delivered in Corinthian Hall, March 15, 1872. On this occasion, Bishop McQuaid found it necessary to insist upon the precise terms of the State educational law on account of its flagrant violation in the interest of Protestantism.

In New York State the law reads that there shall be no religious exercises of any kind in any of the public schools of the State, outside of the City of New York, within school hours. If I have misunderstood or misstated the law, the Hon. Mr. Weaver, State

> Superintendent of Public Instruction, will, when consulted on the subject, correct the mistake. The practice in most of the schools, and notably here in Rochester, is to ignore the law, and in utter disregard of the rights of the minority, for the majority is made up of Evangelicals, to have that amount of Bible reading, praying, and the singing of hymns which seems pleasing to them.[23]

Bishop McQuaid clearly forsaw the future fate of these schools unless Protestants were willing to give Catholicism the liberty to "freely enjoy its religious profession in the education of its youth," which Protestantism had illegally usurped for itself in the Common Schools. He declared that "the time is not far distant when, if no Catholic call for the observance of the law, there will be found others to demand the complete secularization of the schools as the law directs."[24] The result, wherever it had already been effected, was the Infidel or Godless School. Here precisely Bishop McQuaid found danger lurking: "It is not the possibility of union of Church and State which we have to dread. It is the tyranny of no-religion, of open infidelity, which not content to have its own way in the education of its own children, must compel every citizen, every parent to accept the negative, defective, unchristian, infidel education for his children, which it, being in a majority, helped by the Evangelical churches, mercilessly imposes on its believing fellow-citizens."[25] Bigotry and prejudice are the only possible explanation for this unholy alliance that was bound ultimately to undermine the membership of Protestant churches. They thus received the wages of their sin.

This secularization of the Common Schools was only the beginning of the movement. It would also extend to the higher institutions of learning, for the erection of which different Protestant denominations made such strong pleas to their communicants of wealth and social distinction.[26] Here also the tremendous resources at the command of the State would eliminate all competition, and the religious school would be compelled to give way to the Infidel or Godless school, where at most an effort might be made to teach morality without religion, an impossibility, or a secularized religion of humanity, but certainly not the so-called unsectarian Christianity, in which some Protestants were striving to find a common ground of practical religion for themselves. This was really

nothing else than a diluted form of Protestantism.[27] Bishop McQuaid, therefore, pointed out that "our evangelical friends have taken a false position on the question which they are loath to quit. While they persist in attempting impossible things, the battle is going on in favor of indifferentism and infidelity. As the combat thickens, the third party [the Catholic] quietly withdraws from the field, leaving evangelicalism to perish beneath the load of inconsistencies and fine philosophical theories which it chose to assume."[28] Bishop McQuaid could not admit as a solution to the difficulties of the case the establishment of Sunday schools or religious instruction on other days after school hours. The last would prove hateful to the child and overtax its strength at the close of a hard day's work; the first often failed to reach the children of religiously inclined parents whereas the children of the others were most frequently absent from Sunday School.[29] The failure of the Public School system to meet the requirements of conscientious parents was palpably demonstrated in Rochester that was doubtless typical of conditions obtaining elsewhere. The Commissioner of Education reported 12,586 children in attendance in all the schools of the City, but only about 5000 in daily average attendance in the public schools. At the same time Bishop McQuaid was able to report "four thousand and more in our Christian Free Schools." He concluded that "the balance may be found in the private schools of which, as I am informed, there are about fifty."[30] This significant fact made some reflecting minds expose the injustice of the school tax in support of schools closed to a goodly proportion of taxpayers because of religious principles. The need of the religious school was still more forcibly demonstrated to Bishop McQuaid's mind by the awful disclosures of the immoral influences at work in the public schools of Boston, of Williamsburg, etc. He had been challenged by a Presbyterian Minister "to visit and examine the schools of Rochester," but Bishop McQuaid, with all due deference to the invitation, preferred the carefully prepared judgment of Professor Agassiz on the causes of prostitution in Boston, to whose "utter surprise a large proportion of the 'soiled doves' traced their fall to influences that met them in the public schools."[31] Acknowledged authorities on crime also came to the conclu-

sion that education alone did not keep men from committing crime.[32] These manifest defects of the Public School System called for a remedy, and Bishop McQuaid boldly proclaimed it.

Although he held that "strictly speaking, it is not the office of a Republic to meddle in educational matters,"[33] he believed that "the plan of State aid for education is so generally acceptable that no change need to be looked for." He was, therefore, strongly in favor of having the State continue its aid to educational institutions, "provided it can do so with justice to all parties—with favor to none." This was possible if "the State defined and described the amount of education it is disposed to pay for, specified the conditions under which it will pay for that education, determined the annual sums *per capita* to be paid for it, and then paid that amount for that education wherever it finds it under the conditions imposed, whether it be in a large school or a small one, private or public, religious or purely secular."[34] Bishop McQuaid realized that the amount of education given in such schools would necessarily be restricted to the elementary branches of an English education, namely: Reading, Writing, Arithmetic, Geography, and the History of the United States, as beyond this "the field is boundless; you cannot stop short of a University education." He insisted upon the justice of this system: "Under this plan the State will have dealings with the people—its citizens. It will be for them to say if they will have religion—the higher branches—a classical course—the refinements of a polished education in the schools to which they send their children. If they want more than the State agrees to pay for, let them pay what additional sum they please for their religion and accomplishments. The State will take cognizance of what it pays for and nothing else."[35] Catholics would no longer be called upon at the same time to pay taxes for the education of their neighbor's children in the public schools and to pay for the education of their own children in separate parochial schools. A settlement of the burning school question on this basis would mean real liberty and real equality worthy of the country of George Washington, who in his *Farewell Address* makes use of this significant language:

> Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, "Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in the Courts of Justice?" And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

Bishop McQuaid cited these words of the Founders of our Country precisely because the agitation for religion in the schools had been branded as unpatriotic, un-American by bigotry and prejudice. When threats were made, Bishop McQuaid caustically remarked:

> We have been invited to leave the country; there have been fearful mutterings of bloodshedding and war to the knife. Yet no one has been hurt, if some people's folly has been exposed. There is talk, they tell us, of a No-Popery party. Well, we have seen No-Popery times, the Native American party, and the Know Nothing Party. We have passed through all these crucibles. Can any one point out in what way, in any degree, the Catholic Church has been injured by any or all of these outbreaks of insensate bigotry? The commotions but serve to call attention to the claims of the Church, inducing thinking men to inquire into the nature of these claims, and end by giving the Church large harvests of earnest and sincere converts.[36]

Bishop McQuaid could point with pride to the fact that no such movement of religious oppression could ever be charged against the members of the American Catholic Church from remote colonial days even to the time of his lecture. They were, however, always to be found in the ranks of the country's defenders in the hour of need, in every war. Patriotic duty, that made Catholics respond to the call of their country, now also made them enter upon the agitation inaugurated by Bishop McQuaid for "a system of schools that embrace all the people while sacredly guarding the heaven-born rights of parents to control the instruction of their offspring."[37] His platform began with this plank:

Parents have the right to educate their children.

It is wrong for the State to interfere with the exercise of this right.

By the establishment of Common Schools at the expense of all tax-payers, the State does interfere with this right, especially in the case of poor parents who find it a burden to pay double taxes.

It is for parents and not for the State to say how much or how little religious instruction they wish their children to receive.

The channel of thought in the Common Schools of this State is either the Protestant or the godless.

Wealthy Protestants educate their children in denominational academies, seminaries, and colleges.

Common schools are losing favor with the people who prefer private and religious schools.

Education purely secular, or without religious instruction, does not lessen crime.

Large schools—"Barracks"—especially without religious safeguards, are more than dangerous.

The State should limit the education which it is willing to pay for to the elementary branches of an ordinary English education, say what such an education is worth, and then pay for it whenever it finds it under proper conditions.

The State will have nothing to do with churches, but only with parents and schools.

The discussion is a legitimate one for American citizens in a country of free speech, and no one needs to lose his temper.

It is absurd to discuss the question of intolerance abroad while we have such a glaring instance of intolerance at home.

No permanent *settlement* of this question is possible but one that recognizes the *equal rights of all citizens*.[38]

Several days after the lecture, the *Rochester Democrat and Chronicle*, in its argument against "the destructive hand of Catholicism," admitted that there were difficulties in the problem to furnish a Common School education satisfactory to Protestant, Catholic, and Infidel. It frankly confessed that the Public School System did not function so as to enable parents "to accompany it with such religious or irreligious teaching as they like, without being compelled to undo the work of the public school teacher." Nevertheless, the *Democrat and Chronicle* would not allow Bishop McQuaid to "disintegrate" the Public School System of the State and substitute State aid to all schools meeting State requirements in elementary education, "in order that Catholic children may be brought up in constant contact with teachers of the faith of their fathers." If this much was conceded to Catholics, the

Democrat and Chronicle saw the necessity of doing as much for all other denominations, and so it declared: " We may bisect the school system today to satisfy Catholic importunity, and tomorrow we will be obliged to divide it infinitesimally for all others. We must maintain it intact, rendering it as little objectionable as possible, or we must abandon it altogether." Although the *Democrat and Chronicle* declared that the Protestant, "if he is wise," will ask for no religion at all in the Common Schools, yet it advised that these schools be made less objectionable "simply by doing the best we can to remove from any particular school anything which is opposed to the faith of any considerable number who are taught in it." How this was to be done, is then stated in detail:

> A Catholic has no right to ask that the Protestant Bible shall be excluded from a school Catholics do not attend. A Protestant has no right to force the Protestant version upon a school mainly composed of Catholics. Catholics have no right to object to any feature in the course of instruction in schools to which they do not send their children; Protestants have no right to refuse to consider Catholic complaints wherever Catholics generally are represented. When Catholics give in their adhesion to the preservation of the common school system and submit their grievances against it, they will find a just public ready to consider and remedy their complaints. But so long as they object to the system itself and not to the incidental wrongs, they will find American sentiment unyielding. Bishop McQuaid complains of some religious characteristics of Rochester schools; yet were these characteristics removed, his hostility would be none the less, but rather the more intense because of aggravated godlessness. If the removal of the grounds of his complaints would remove his hostility, we would seriously consider the question with him. But as the removal would do harm rather than good, it seems to us that the wishes of the great majority of the parents of those who attend the schools are satisfied—that is sufficient.
>
> Our conclusion then is that a *common* school system is indispensable; and that parents and priests must supplement this necessarily imperfect and elementary system by such manner of religious or scientific teaching as they deem proper, looking to a public sentiment to correct whatever may be obnoxious to them in the schools to which they send their children. If this basis is not satisfactory, and they withdraw from the public school, they must maintain their own schools at their own expense and have no right to complain either of taxation or of the course of tuition in schools they do not patronize. If anti-Catholics attend the schools, they cannot be blamed for having just as much or just as little of

religion as pleases them; and Catholics can only complain with reason when they propose to maintain the integrity of the common school system on some common and equitable basis, and that proposition shall be rejected.

As the bishop has deemed it proper to refer with appreciation to our concession of the difficulties of establishing a course of instruction free from objections to Catholics, Protestants, or Scientists, and our admission that it is impossible to do this above the elementary branches, he will perhaps not decline to state upon what basis, if any, he would agree to the establishment of common schools, limited to elementary studies. And we will promise him, if there are any obstacles in the way of such support which we can aid in removing, we will gladly do so, if by that means the public school system can be strengthened. But we are decidedly opposed to render the schools less acceptable to those whose children do attend them, only to find that in doing so we have but made them more obnoxious to their enemies. We cannot deprotestantize the schools to the offence of Protestants and the augmented hostility of Catholics. It would be folly to dispense with the sacred chapter, the humble prayer, and the spiritual hymn unless some opposition is to be conciliated thereby.[39]

This was at least a frank acknowledgment that the Public Schools of the City of Rochester were Protestant in religion. As Catholics then were a minority in the population, their children also would form a minority in the various schools if they attended them, and yet the majority were practically to determine the religion of the Public Schools, despite all professed desire to make them less objectionable. The right of Catholics to a voice in Public School matters is founded simply on the fact that they also pay taxes in support of these schools. Bishop McQuaid accepted the invitation to reply to the *Democrat and Chronicle,* and so wrote as follows, March 22, 1872:

Permit me, with many thanks for your courteous remarks on my lecture on "Christian Free Schools," to have a place in your columns for a short reply.

Instead of calling my proposed plan the "disintegration of the common school system," it would be more fitting, in my judgment, to denominate it the "enlargement and expansion of the common school system." You and I are fully in accord in holding that the channel of thought in the public schools, under the present system, must necessarily be the Protestant, the Catholic, or the "godless." Many, perhaps the majority of our fellow-citizens, agree with us in this opinion; and the same majority hold with you that this

channel ought, under the circumstances of the case, to be the Protestant one. I admit the justice and right of such an arrangement, inasmuch as my own experience as pupil and teacher, joined to a long and anxious study of the subject, has satisfied my mind of the necessity of religious training in the education of the young. Any attempt on the part of the State to exclude religion from the schools leads to "godlessness"—a most undesirable species of education. Just here begins the difficulty. The present system intended to embrace all children of school age, and sustained by the taxes of all citizens, admits only a Protestant or a "godless" tone in its schools. The result is a contracting or a compressing of the system within limited bounds. Instead of being a common system, extending its benefits to all, it places insurmountable barriers in the way of large numbers who are driven to other schools not under state supervision.

I propose for consideration an expansion of the system, and not a compression. Every expansion is not a disintegration. The present system is daily undergoing expansion, but to the ruin and certain breaking down of the whole system. The teaching of classics, modern languages, &c., in common schools is an extraordinary expansion from the old idea that a common school education meant an elementary English education.

It is universally conceded that the state has not the right to impart religious instruction in opposition to the views and inclinations of the parents of the scholars. Yet some kind of instruction in belief and morals is unavoidable and most desirable. If we Catholics object to the present tone and incidental teaching as Protestant and insist on the letter of the law, we only deprive our Protestant fellow-citizens of what is a great advantage to their children and gain nothing for ourselves. We do not want to play the part of the dog in the manger; but is it fair that when we go outside the door not even a handful of fodder should be thrown to us, although we helped to fill the barn?

One part of the trouble proceeds from the fact that many of us regard the present system as perfect, or nearly so, and susceptible of no radical change; whereas it is altogether an experiment, and one of recent date in a new country with a peculiar and heterogeneous population. It has not even the merit of economy, unless the education of one half the children at the expense of all can be called an economical arrangement for the favored half. The system is faulty inasmuch as the State undertakes to do what in the nature of things it is impossible for the State to do; it is faulty because it dispenses with the co-operation of parents, crushes individual effort, and forbids all competition; it is faulty again because its plan of education is not restricted to that which alone the State can justly claim to give, namely an elementary English education, and yet again because it does leave its own province and interferes in the religious and moral teaching of the children.

I claim that the existing system is narrow, contracted, compressed, unnatural, and therefore unjust. Much as we may cherish and praise systems, they cannot endure in this country unless founded on broad, generous, natural principles of equal rights.

My proposition would still have a system of State schools. It does not purpose to disintegrate, but to extend. It would bring the State back to the starting point of an elementary education, and on that basis takes a "new departure." Instead of the State having under its supervision only twenty schools, as here in Rochester, it would have under its supervision a hundred and more; instead of having a limited number of teachers, dependent on school commissioners and politicians only, there would be a much larger number, dependent on the State for certificates of capacity and for results, and on the parents of the children for general success. Under the system proposed by me, the State would have the right to decide on the fitness of the school building, furniture, &c., examine into the qualifications of teachers to impart a knowledge of the branches it pays for, fix the number of hours to be devoted to the study of these branches, inspect and examine the classes from time to time, and make such regulations as may be necessary to guard against abuses, misapplication of monies, etc. All schools, receiving aid from the State, should be under State supervision, leaving parents the liberty to regulate the management of the schools to which they elect to send their children, after having complied with the requirements of the State.

Too much spoon-feeding on the part of the State is weakening and degenerating; systems in which there is the spending of much money without the immediate control of the tax-payers are dangerous; children, who have never realized that education has cost something, always fail to make their mark. Probably the most expensive education in the United States is that given in the "College of New York," and yet after so many years and such lavish expenditures, what is the result? Where is the fruit?

In asking my fellow-citizens to bestow some thought on this question, I can hardly be taxed with impertinence. Every lover of his country must feel deeply interested in its welfare. Our growing cities will, in a few years, double and quadruple their population. Truant homes and houses of refuge are springing up on every side. We can scarcely supply the demand. What is to be our condition when our cities fill up, employment fails to be had, and vice and temptation lie in wait for the idle and badly trained? The future is not so far distant. It is the duty of good citizens to look ahead and co-operate with the State in training and preparing the young to become industrious and law-abiding citizens. Under a sense of this duty, and with the deepest love for my country and its future prosperity and permanence, I am doing, and I have done a full share of this work, and I appeal to my countrymen not to insist on our accepting from the State, as the only condition of assistance,

an education shorn of its chief advantages, inimical to our faith and religion.

Now is the time for this great State of New York to act. Non-Catholics are largely in the majority. They cannot be suspected of acting under co-ercion. To review the school system now and extend its advantages, without the sacrifice of principle, to its poorer citizens, will show wisdom and magnanimity.[40]

Bishop McQuaid judged the publication of his two lectures in pamphlet form to be the best means to push on the agitation. The first lecture was even translated and printed in German for distribution amongst the people of that nationality, whom the Bishop had acknowledged as the main supporters of Catholic education for the Catholic child. The English edition was advertised for sale at the rate of three dollars per hundred and twenty-five dollars per thousand. This was in perfect accord with what he had advocated in his lecture: "Our documents must be circulated by the hundred thousand; they must reach all classes in the community." The public certainly had no doubts about the Bishop's position on the school question after this, if there had ever been any doubt about the matter. Naturally Bishop McQuaid was brimful of the work in hand, and doubtlessly spoke enthusiastically of the great enterprise in his visit to his old Bishop in Newark. At least, Bishop Bayley notes in the *Diocesan Register*, April 23, 1872: "Bishop McQuaid of Rochester was here on Saturday with famous accounts of all his doings in his own Diocese." Another opportunity for pushing on the agitation was furnished by the laying of corner-stones in the building of churches and schools. When the cornerstone of St. Mary's School was laid, August 4, 1872, Bishop McQuaid pointed out the significance of erecting such a building:

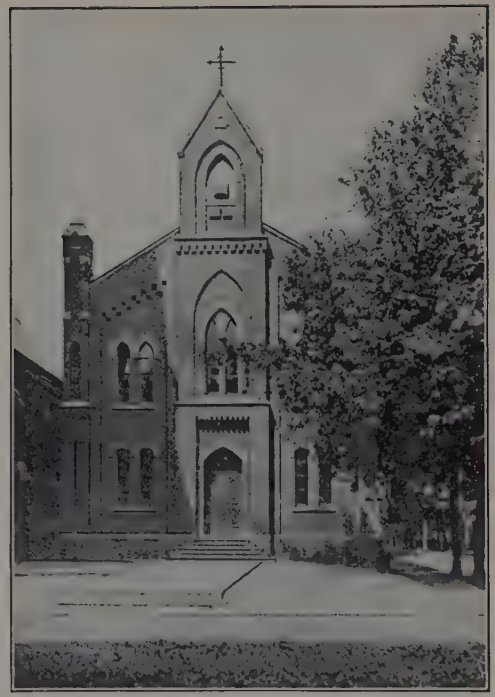
I claim that the building of this new school house is an important event in the history of this city, for the reason that this institution will come forward one day, together with others of a similar character, to form an agitation for justice and right in the great matter of the education of the people with religion.

This question of the education of the people with religion or without religion is the most important, occupying the mind of the civilized world today. Not only does it monopolize public attention in America, but throughout the whole world—in Great Britain and her colonies, in France, in Italy, and notably in the new Germanic Empire.

ST. MARY'S PAROCHIAL SCHOOL
Cornerstone laid August 4, 1872

BISHOP McQUAID
in 1873

(Photo by J. H. Kent)



IMMACULATE CONCEPTION PAROCHIAL SCHOOL
Built in 1871

In the agitation of the question, this contest is not between Catholicism and Protestantism, but between Catholicity on the one side and infidelity—no religion, the spirit of indifferentism—on the other. We have ceased to contend with Protestantism. We rather raise our hands in appeal to the Protestant sects to look around at the dangers threatened—not to give up the struggle—to cling to the Bible and to its teachings—to hold the faith in Christ and His divinity—to still profess the same faith in the revelations of Christ Jesus rather than abandon all revelation—rather to cling to the foundations of Protestantism than leave us alone to struggle against the mighty power growing up of indifference to religion and of disbelief.

This spirit wages a most bitter contest against Catholicity in America; and there is no land in the whole wide world in which the struggle for God, revelation, and true religion can be so well fought out as in this great, glorious, and free land of ours. There is no land in which it can be so well fought out as this for more reasons than one, but there is one more important in my judgment than others. A great change is going on in political affairs everywhere throughout the world—a change in which kings are passing away, and the people themselves are becoming the kings. Here that step in advance has already been taken. We are all kings in the enjoyment of our perfect freedom. Here the old customs of a worn out world do not shackle us. Here we can stand up uncontrolled and unterrified as free men, secure in the liberty of the land, and advocate the cause of God—of education with religion. Here we can maintain the right to educate our children as we please, untrammeled by State restrictions, with the sole responsibility to the God who made us and to whom we are to go. Here this great question will find its solution within the next few years. Thank God that there is but one solution possible, come when it may. The right, uncontrollable by prince, emperor, or government, must be granted to the father to educate his children as he pleases, so that the rights of State to secure good citizenship are not disturbed.

In our land this question is constantly coming up. It is impossible for any man or number of men to push it back. Acts like this today are bringing it ever on, and when it comes before the people as a matter of dollars and cents—when it is presented as a question of equal rights and fair play—when they see we ask nothing for ourselves which we are not willing to concede to others—when it comes before the people in this form, and our secular education is proved by experience to be as good as theirs, our buildings as good as theirs, and our aim to educate good citizens, law-abiding dwellers in the land, men with consciences—then our Protestant brethren will hasten to acknowledge our rights. Oh, yes, they then will come out and say: "We are both striving together; there are grounds common to us all and purposes for which we can all work in har-

mony." They will look at your multitudes of noble churches and see how religion has grown up and prospered in the country when independent, and they will say: "Let us adopt the same policy with the schools that the rights of every citizen may be regarded."[41]

Two years later Bishop McQuaid had an opportunity to emphasize the injustice of the Protestant majority in refusing Catholics redress for their grievances. He had been invited to address the German Catholic Convention of the United States in Rochester, and May 25, 1874, he spoke to these men, who of all Catholics in the country were characterized by their zeal for the religious education of their children. After paying tribute to the activity of the German Catholics in this field, he pointedly remarked:

> I would like to see a case, but you cannot find one, where Catholics treat Protestants as we are treated here. If in any one country of the world, the Protestant minority, being one third, one fourth, or one fifth, should be deprived by a Catholic majority of sacred and inalienable rights, the world would ring with the injustice, and no means would be left unused speedily to bring about a change. In all the countries of Europe, the Catholic majority respected the rights of the non-Catholic minority. We have a case in point close at hand. The other side of the Lake is the Dominion of Canada. In lower Canada, the majority of French descent is Catholic. A very small minority is non-Catholic. The schools were Catholic, and as such were objected to by the Protestant minority, who objected to pay taxes for an education not in accordance with their views. The Catholic majority deemed the objection a good one and permitted the minority to have their own taxes for their own schools. In Upper Canada, the majority was non-Catholic and a small minority Catholic. For a long time it was impossible for this minority to obtain the same rights which had been freely and cheerfully accorded to the minority in Lower Canada; but at last in Upper Canada as in Lower Canada, the law was enforced that taxes for school purposes should be paid to the schools in harmony with the religious convictions of the taxpayers.
>
> We do not object to education; we build school houses and educate our own children as honest men should. We have conscientious convictions with regard to what education should be. We hold that education without religion is valueless to the child. We do not dispute the right of others to hold the opposite view, but we do maintain that to make us poor Irish or German Catholics, who educate our own children in our own way, pay for a fancy education to be given to the children of our richer neighbors, is unjust. This is the question that must come before the people, and if needs be, at the ballot box. The question cannot be kept out of politics. It will force itself before the public until justice is obtained . . . . .

Catholics number one third of the population of the State of New York. I cannot state what proportion we bear to the entire population of the United States. But this much I do know, our numbers are daily and rapidly increasing. You Catholic men before me hold principles founded on conscience that guarantee increased numbers to our people. You reprobate divorce, the great destroyer of the family. You loath still more the crimes which follow from disregard of the laws of God and of nature. You are not believers in foeticide and child-murder. Hence you will go on increasing in the land. Upon you men of this age falls a heavy responsibility; you have to lay the foundations of an edifice broad enough to cover the country; you have to establish customs that will be safe for the millions to come after you. See that you do this work well.

You will soon return to your homes—to the three hundred societies that sent you here, to your places of business, to your factories and shops, to your families, to your churches. When you do so, remember the words you have heard in this hall; remember that it is the duty of laymen, of citizens, of voters, to speak for the right and maintain it whenever and wherever they can. Americans have a superstitious dread of the action of bishops and priests. They regard with more complacency the sayings and doings of the laity. Politicians understand arithmetic enough to count heads. You have the heads; you make the people; you settle questions at the ballot box. When you can show numbers, you will not have to go after the politicians; they will go after you. If, in the agitation of this question, you cannot put up with a little abuse and bear some hard talk, you are not the men I take you to be.

What causes the trouble in Europe today? Want of combination and organization. Kings and the rule of kings are passing away; and the power of organized numbers is beginning to be felt in the affairs of those European countries. Good Catholics are suffering because they are not aroused to the necessity of combining for organized action. Many important events date their beginning from Rochester. Let us hope, Gentlemen, that this convention of German Catholic citizens will not leave this city until some action has been taken that will help the good cause of Christian education, that will stir up Catholic men to a sense of duty as citizens, that will further the welfare, honor, and glory of God's Church, that will be for the advantage and honor of this country, our common home which the good Lord has given us.[42]

Bishop McQuaid himself continued to hammer away at the great issue. When he lectured in St. Bridget's Church, Rochester, February 28, 1875, he read extracts from the address he had given some weeks before in Cleveland on the School System established by the State. It was precisely as citizens and taxpayers that Catholics had a right to visit,

examine, and criticize the schools of this system that utterly ignored the rights of individuals and families. Although moral education was necessary, unless the teachers of the State broke the law, they only taught Pagan morals. Catholic faith, moulded into the child's mind by a mother's care and love, was endangered in the State Schools, as every curl of the lip, every shrug of the shoulders made an impression. In Rochester, Bishop McQuaid found the High School under the presidency of a clergyman. Its teaching, although not strictly Presbyterian, or Baptist, or Methodist, was strongly anti-Catholic, and Catholic children graduating there had to steel their minds against the insidious attacks of this teaching. As Catholics were forced in conscience to provide for the education of their children, they should be allowed $200,000 to carry on the work in their schools, on the basis of the *per capita* cost of educating children in the Public Schools of Rochester. Nothing had been done to satisfy Catholic just demands, but Bishop McQuaid again predicted a change. A few years more and the enormous number of Catholic Children would be grown up, and their power at the ballot box would be the deciding factor for the politicians.[43]

The School Question was not thus solved as Bishop McQuaid hoped, but the Rochester Board of Education itself "deprotestantized" the Public Schools of the city. As Bishop McQuaid had foretold, the initiative was not taken by a Catholic, but by one of another faith. The Jewish Commissioner, Mr. Edward Michaels, at the regular meeting of the Board of Education, June 7, 1875, presented the following resolution: "Resolved, That the custom of Bible reading and discussion, hymn singing and praying in our public schools be from this date discontinued and no sectarian exercises of any nature be allowed hereafter." The wording of the resolution failed to please some of the commissioners, and so Mr. Michaels finally presented it in the simpler form: "Resolved, That all religious exercises of any nature be prohibited in our public schools." This was then adopted, after some opposition, by a vote of fourteen against two.[44] The Report of the Superintendent, Mr. S. A. Ellis, September 6, 1875, explicitly denies that Catholics had anything to do with the matter, while it gives his own reasons for his support of the resolution:

The astonishment, with which perhaps the majority of the thoughtful residents of our city received the first intelligence of the action of this Board in abolishing all religious exercises in the public schools, is still fresh in our minds. The discussion, which followed in our daily papers, quite exhausted the argument upon both sides of the question, and makes it quite unnecessary at this time that I should do more than simply define my position as one of those who approved the judgment of the majority of this Board. While I cannot resist the feeling that the course of the Board, in hastening final action upon the subject, without giving time for discussion and reflection and a thoughtful report upon it, setting forth the reasons for such action, as unwise; still my deliberate convictions are in harmony with those of the majority of the Board. It is perhaps needless for me to say that my opinion upon this subject has met with a decided change within the last two years, during which time I have given a good deal of attention to it, as I foresaw that it must eventually become one of the vital questions connected with state education. I have tried to form a careful, intelligent, and unprejudiced opinion upon it. I am frank to say that I was slow, even to unwillingness, to accept my present opinion, educated as I had been in a contrary one. In all the years of my experience as a teacher, I had invariably, when having charge of a school, opened with the reading of scriptures and prayer. It may readily be seen, therefore, that there were no ordinary obstacles in the way of a change of opinion. I foresaw also that such a change would inevitably bring me into a conflict of opinion with many of my warm personal friends, belonging to different religious denominations in the city, which, for me, would be a matter of very serious regret.

I have been thus particular in explaining the steps through which I have arrived at my present opinion, as my action has been misunderstood and misrepresented.

As to the reasons that have led to my present opinion, they are briefly these, which are already familiar to you and the public.

First—The reading of the Scriptures or any act of religious worship during regular school hours, in any common school of the State, is contrary to law. Several decisions to this effect, by State Superintendents, some of whom were fully competent to pass upon the legal aspect of this question, are upon record.

Second—The friends and patrons of our public school system advocate and believe in a thorough separation of Church and State. They say to the Catholic Church: "You have no right to take the money of the State to carry on your religious schools." And this same class of our citizens will oppose to the utmost, as they ought, every movement of that Church toward a division of the public moneys for the support of its parochial schools.

Now it is charged by many of the patrons of the public schools that the Bible is a sectarian book; sectarian as it relates to the

Jew, the Unitarian, the Roman Catholic, etc.; and as it is not properly a text book and by the law of the State cannot be made a text book, they simply ask that its reading be discontinued.

To be consistent, I am unable to see how the friends of our public schools, who favor the reading of the Scriptures as an opening exercise, can refuse this request. Their answer, that the Bible is not a sectarian book, does not affect, so far as I can see, the question involved. They who make this demand sincerely believe it, and I submit whether we ought not, in charity to them, to give a favorable response, reluctant though we may be to do so.

We have done so, and I am firm in the belief that the future will approve the action.

Third—To insist upon the reading of the Scriptures against the protest of large numbers of the patrons of our schools is contrary to the spirit of religious liberty, which constitutes one of the pillars upon which this Great Republic of ours rests. That this has been done offers no argument for its continuance. So long as no protest was raised against it, it was right and proper, and I could wish for myself that it might still be done. But the conscience of many in this community is against it. And the question as to who they are, is of less consequence than that there are considerable numbers, who so feel and express themselves. I would respect the conscience of another, as I ask respect for my own. The charge that this is simply a concession to the demands of the Roman Catholic Church, which seeks only the ruin of our public school system, and that paves the way for still further demands, I should dismiss as simply frivolous.

In the first place, no such demand, of late, has been made by that Church; and in the second place, if parents of that communion who are patrons of our schools had made the request in a formal way, I know of no good reason why this Board should not have paid respectful heed to it. On the ground of religious liberty for all, I approved the action of the Board.

Fourth—Religious exercises, such as those forbidden by the Board—the reading of the Scripture and prayer—are not necessery to sound instruction in morals. There is a common ground upon which all religious denominations can stand in perfect agreement. Thorough instruction in morals can be given without the least trenching upon the religious faith of any parent who has a child in our schools.

Fifth—In view of all the facts, it seems to me, the family, the church, and Sunday School should furnish the religious instruction of any community; and whosoever shall neglect this solemn duty, need not seek to quiet his conscience by the belief that there can be any special virtue in the somewhat too often indifferent reading of the Scriptures in the public schools.

As to the neglected children of the community—those who get no religious instruction at home—it is a question whether the

Cartoon by Thomas Nast

A clever, but dishonest effort to misrepresent, as an attack upon the public school, the Catholic fight for the natural right freely to educate Catholic children in Catholic schools without being taxed in addition to educate non-Catholic children in public schools. Thomas Nast was born in Landau, Germany, September 27, 1840. His father had the family come to America in 1846. Although he was educated in the public school, this work betrays the foreign brand of European anti-clericalism.

Church and the Sunday School ought not rather to be more zealous in going out into the highways and gathering them in, where they may be religiously taught, and brought under distinctly religious influences, than leaving them to a brief reading of the Scriptures each morning, as the only means of Christian education. I do not mean to insinuate that our churches and Sunday Schools are specially lacking in religious zeal, but rather intend to indicate my belief that the value of the reading of the Scriptures, as an opening exercise in our public schools, is overestimated.

Finally—The theory, on which our free school system is based, is that the schools are for all classes. All are taxed for their support. Hence I would open wide the doors; I would remove all objections to them, on the part of the patrons and friends, that would not impair their usefulness or efficiency. I would find the common ground on which we may all stand, so that when the enemies of our schools rise up to crush them, should they ever make the attempt, they may find a united phalanx to oppose them.[45]

It was a favorite anti-Catholic trick to represent Catholics as plotting the destruction of the Public School. Besides, as Catholic spokesmen were usually either Bishops or priests, efforts were made to arouse suspicion that the clergy had not the whole-hearted support of the laity in the agitation of the school question. When the delegates of the *Irish Benevolent Union* assembled in the Cathedral of Rochester to open their Convention with a High Mass, October 20, 1875, Bishop McQuaid took the occasion to denounce these anti-Catholic tactics. While the main object of the *Irish Benevolent Union* was charity, the most important charity was the education of the young, and in the agitation of this question the layman's duty was precisely emphasized by Bishop McQuaid:

The laymen of the societies present had duties to fulfil: to speak like men in the presence of non-Catholics, and to give them to understand that there was no such a thing as a division between the clergy and the laity, to stand ready in behalf of their religion and to bear its cross bravely forward in the fight that is going on.

Their duty was to uphold the cause of Catholic education. They should do so in words becoming gentlemen; they should speak plainly, cost what it may. If the 9,000,000 of Catholics, distributed through this land, could in one moment say that it was not their desire to break down the public schools of the country, the ears of their opposers would be closed to the sound, and the politicians at every election would not use this question as a football to suit their purpose. They loved education too much for such a desire; they were working for a broader and less bigoted platform.[46]

Bishop McQuaid's correspondence of this time refers to the doings of politicians in the agitation of the school question. September 19, 1875, he warned Bishop Corrigan of Newark: "Don't mind the newspapers. I used to be very sensitive, but fortunately I pay no attention to their personal remarks. The 'School Question' is where I wished it to be. Catholics are opening their eyes to the necessity of Catholic schools; and our opponents are compelled to face the question and discuss it. The politicians are hypocritical and are using the question for their own ends."[47] Just then he had plenty of opportunity to gather data on that point, as a political campaign was drawing to its close. He, therefore, wrote Bishop Corrigan, November 9, 1875:

> We have just got through the election, and the school question was played off to great advantage, and my lectures were freely used. I kept still through all the excitement and watched the game. The American people will need to hear the alarming cry of "wolf!" more than once to become familiar with it.
>
> I am engaged to give a lecture in Boston next February before the Free Religious Association on the Public School Question as understood by a Catholic American citizen. It is an infidel association as the name indicates. I will be followed by Mr. Abbott, Editor of the Index, on the other side. So you see I keep the ball in motion.[48]

The invitation to lecture in Boston before this non-Catholic Society shows the position held by Bishop McQuaid in the public mind of the country as the champion of the Catholic School Question. It is not, therefore, surprising that, when Bishop McQuaid arrived in Buffalo, November 24, 1875, for the dedication of St. Stephen's Hall, a representative of the *Courier*, called upon him for an interview as the "acknowledged exponent of the Catholic agitation against the present school system, or perhaps we should say, for the incorporation of sectarian schools into the system as it now exists." Bishop McQuaid at once illustrated the methods and objects pursued in his agitation of the question:

> In the lecture which I am to give at Boston, I shall protest against the idea that we intend an alliance with either political party or have any collusion with either. Our object is to gather in the children in large cities, whose parents are, many of them, too ignorant or lack the time to give them proper instruction. The

State cannot reach all these children, but we can. We do not ask the State to pay for the religious influence we throw around the children, but simply for the secular teaching they receive. We erect the buildings, provide the teachers who shall, however, be subject to the examination required by the State, and then for a nominal rental we allow the State full control of these schools during the ordinary school hours, in which time only secular instruction shall be given. Before and after such hours, we purpose to give the pupils such religious instruction as we deem essential in the education of youth. The plan is already in practical operation at Corning, Elmira, and Lima, by the co-operation of the Republicans, and still more markedly in the schools of the Children's Aid Society in New York. The same principle is carried out in most of the public schools of the State, in which, before and after school hours, religious exercises in harmony with the convictions of the parents are commonly held, where they are not as a rule the practice during school hours.

Bishop McQuaid had occasion to emphasize again this last point of religion in the public schools in the course of the interview. His morning Republican paper also stated that the Children's Aid Society of New York City had received $228,000 during the year, and expended $227,000, to a large extent for its schools. Bishop McQuaid pointed out that this society had no connection with the public school system: "It gives religious instruction as well as secular instruction, and rightfully if it does not interfere with the religious parentage of the children. But the greater part of the money comes out of the State treasury. The State pays for the cost of the secular education, the rent of the buildings, and the pay of teachers; and this is precisely the arrangement we wish to make." When the Reporter showed special interest in discovering how the arrangement was effected at Lima, Bishop McQuaid explained the circumstances, adding some information about similar arrangements adopted elsewhere in the State:

They had no room for all the pupils who wished to attend the district school, and therefore, proposed to the Catholics that the latter should re-open theirs, which had been closed. This was done, and at first lay-teachers gave instruction at the parochial school, the authorities paying all expenses. On the 1st of January, we said: Will you pay Sisters as well as lay teachers? They consented, provided the Sisters could pass the necessary examination. I was asked if the Sisters would submit to such a test, and replied: Cer-

tainly. We want no teachers who are unable to show abundant familiarity with the ordinary studies required. The Superintendent of Livingston County appointed a day for the examination, which was to take place at Livonia, and two Sisters were sent there. Unfortunately, the poor Sisters in some way missed the train, and, not wishing to fail in the appointment, hired a carriage and rode the entire distance of twenty-six miles on as cold a day as we had last winter. The examination lasted two hours and proved satisfactory. The school is still in active operation. No religious instruction is given during ordinary school hours, and any body can come in to see that there is no violation of this rule. The school authorities pay the salaries of two Sisters, but a third is paid for by parents. Catholic children outside of the village, who attend school, pay a rate therefor. There is a parochial school at Corning conducted on the same plan. In Poughkeepsie, the plan has been in successful operation for two years. All Catholic pupils attend a single school in which no religious instruction is given during ordinary school hours, but the teachers are selected and paid by the city school authorities.

Bishop McQuaid also tried, in the interview, to meet the popular objections against his solution of the educational problem. He did not think that the existence of the Common Schools was endangered by the concession of Catholic demands, as "those, who are sincere and earnest in calling for religious schools, have already provided them at their own expense. These are the Catholics, Protestant Episcopalians, and Lutherans, although any sect able and willing may also establish schools. Still, if these sects are satisfied, there will be little objection to the common schools, for nearly all the rest find their present tone satisfactory." The simple reason for this was because the common schools were either evangelical or indifferent in religion, but that precisely made them objectionable to Catholics. Bishop McQuaid again insisted on the fact that the godless school was even more unsatisfactory than the evangelical school: "I do not want the Bible excluded from the schools not frequented by Catholics—In fact, I think the teaching of any religion is better than of none at all. No man could be more surprised than I was when the Board of Education voted the Bible out of their city schools." Nor would Bishop McQuaid admit that religious schools were anti-democratic in tendency, as facts proved that Catholic children, to use his strong expression, were rabid Americans. He pointed out that "the traitors to our Republican institutions

are found in our wealthy classes—people who have been abroad and learned to ape monarchial notions, ways, and fashions, who have acquired a taste for titles, who think a property qualification is necessary for the suffrage and wish to exclude all but themselves from office." Objection had also been made to Bishop McQuaid for having made a political issue of the Education Question, and the Cleveland lecture was especially cited in proof, but Bishop McQuaid declared:

> I deny having appealed to the ballot. In fact, I stated distinctly that the question would never come to that. I stated what had been the history of every great question growing out of a grievance felt by a large body of the people. There was first discussion, then a more persistent agitation, next public enlightenment on the question, and finally the decision at the ballot box. But I added that the reasonableness of Catholic claims would be admitted and the rights of Catholics allowed long before the question could come to this fourth stage of the ballot. Before that time, I said that politicians of both parties, seeing the direction in which the current of public opinion was running, would be eager after Catholics to get our votes.

Bishop McQuaid also informed the Reporter that he belonged to no political party. He had, in fact, abstained from voting since he became Bishop of Rochester so as not to influence in any way the party affiliation of Catholics, whom he was pleased to see divided between the Democratic and Republican parties. If people could only be brought "to talk the matter over calmly and temperately with the object of discovering what justice and right demand," Bishop McQuaid was sure that Catholics would receive redress of their grievances from both Republicans and Democrats, with the result that Catholics would rally strongly to the support of the friends of the public school. This calm assurance, in fact, Bishop McQuaid's whole bearing throughout the interview made a strong impression on the representative of the *Buffalo Courier*, who communicated it to the public as an introduction to his account of the interview, which he reproduced from memory as well as he was able to do so.

> Bishop McQuaid is rather under than above the average height, but his figure is well set, and there is something about the firmness of the mouth that reminds one of the famous Corsican. This resemblance may be imaginary only, but not such is the Napoleonic con-

> fidence with which this learned but exquisitely suave ecclesiastic speaks of his own plans or the aims of his church. He talks of the successful accomplishment of whatever objects he or the Catholic Church may seek to attain as if these ends would be reached as a matter of course. Neither are his anticipations colored by imagination or inspired by enthusiasm, but they are stated with the calmness of assured confidence and with a pleasantness which might at first lead one to infer that he was not so persistently bent on the attainment of these objects as his constant and energetic agitation of them abundantly proves. He overrides all difficulties with an ease which surprises one at every turn, and just where others fear the gravest embarrassments, he anticipates the most satisfactory results. An ordinary navigator looks forward to engulfing whirlpools, hidden rocks, and the dangers of a lee shore when about to float into unknown seas, but the Bishop of Rochester looks calmly ahead with the perfect conviction that the waters will be smooth as glass and safe as a landlocked harbor. In a religious as well as a military leader, this confidence is almost equivalent to victory—but then there is always a chance of failure, and the brightest intellect and most commanding talent have been conspicuous for a fatal failure at last.[49]

Bishop McQuaid was big enough to risk failure in such a cause, where everything was to be gained and nothing lost. At Boston, he delivered his lecture Sunday afternoon, February 13, 1876, in Horticultural Hall. It naturally contained a good deal of matter that entered into his first two great lectures on the School Question. There he had taken for granted the right of parents to educate their children. Now, however, Bishop McQuaid found it necessary to dwell "on the argument of parental rights because the assumption of the State to control education and the indifference of many parents to this assumption encourage the supposition that all right is in the State and none in the parent."[50] He cited the Constitution, Common Law, Court decisions, Sacred Scripture, and for the Catholic, the authority of an Infallible Church as well as conscience to prove the right and the duty of parents to educate the child.[51] Liberty to interfere, granted the State by the majority, "in no way includes the right so to take part in the education of children that the just and inalienable rights of parents shall be sacrificed."[52] Consequently, Bishop McQuaid openly contended that "constitutional enactments in contravention of parental rights, not transferred to the State, are worth the parchment on which they are written and no more.

This is not an original ideal. I have picked it up in Boston. This lesson was taught to the nation by the settlement of slavery."[53]

Nevertheless, the Catholic parent could find little recognition for rights that were claimed by the free religionists and liberalized evangelicals for a godless school, and by the more religious evangelicals for the evangelical school. The public school was evidently bound to be the one or the other, as Bishop McQuaid proved by the facts: "Hardly had we made room in our own schools for all our children in the city of Rochester when the Board of Education of the city, with little ceremony, put the Bible and all religious instruction out of the public schools."[54] Troy, Cincinnati, and Chicago had also forbidden religious exercises of every description in their common schools.[55] Elsewhere the fight was still being waged against the Catholic for either an infidel or an evangelical school. The *Albany Argus,* November 30, 1875, called the conflict that thus arose "a triangular contest," but Bishop McQuaid showed that this was hardly the case: "It is rather a struggle of three in one line, with the Catholic in the middle. Each of the others has a hand in his pocket, taking his money to support schools to which he cannot in conscience send his children." If the Catholic claim any share in the taxes for his own school, "both are shocked that their taxes should be used to propagate religious creeds in which they do not believe. Neither has a word to say about the wrong perpetrated on the Catholics, whose taxes are used without stint to carry on a system of schools, from which he is kept out by their dominant evangelicalism or indifferentism."[56] Bishop McQuaid succeeded admirably in contrasting the intolerance of these partisans of the godless or evangelical school with the Catholic attitude. "Each one of the disputants, except the Catholics, wants to make all others bend to his plan or way, or system, seemingly satisfied that he alone is right. The Catholic, on the contrary, says: Let each one have his own plan; and with an even start and on equal ground, let it be seen which party, the evangelical, the scientist or free religionist, or the Catholic can make the greatest sacrifices, accomplish the most work in the most satisfactory manner for the thorough religious and secular education of all the chil-

dren they can bring under their control."[57] Bishop McQuaid told his Boston audience of free thinkers what the Catholic could do: "We possess, in our religious orders of Brothers and Sisters, armies of skilled teachers voluntarily consecrated to the work of laboring among poor children and instructing them in secular learning, while grounding them in virtue and morality. They are ready to spend their lives in this work of highest love and self-sacrifice; they can reach the hearts of these children of poverty; they can calm turbulent passions and teach self-restraint, love of order, and respect for the rights of others."[58] This did not in any way interfere with the schools of others, as Bishop McQuaid pointed out in his exposition of the Catholic plan:

> It is not to deprive Protestants of their Bible in their schools; it is to educate Catholic children in Catholic schools with our own money, under State supervision, if you please. We do not want Protestant money, nor any State money that was not taken from our purses. We want not one dollar for pope, bishop, or priest, not one cent for our church. We do not desire the doing away of common schools; we are establishing schools all over the country on a thoroughly democratic basis. We are striving for a stretching of a hide-bound system. We wish it to be more directly under parental control, more economically managed, restricted to its proper function of elementary education, and violating no conscientious duty of parents.[59]

In conclusion, Bishop McQuaid appealed to his hearers, "in behalf of the rights of parents, for dispassionate consideration of this subject."[60] For, he was convinced that "parental rights, involving duties imposed by the natural and revealed law and the Constitution, cannot be persistently disregarded without danger and detriment to the nation."[61] After his return home, Bishop McQuaid wrote Bishop Corrigan, February 18, 1876:

> The lecture in Boston was well received. The audience was nine tenths Protestant, yet very attentive, applauding occasionally, but rising at the close and giving hearty and generous applause. The newspapers, with one exception, were very fair in their comments, considering diversity of opinion on the subject. All that I heard from individuals was complimentary. The lecture will be out in pamphlet form in a few days. You will receive a copy.

I propose to keep quiet on that subject until after the Presidential election unless some special and peculiar case should demand attention.

I will send you a copy of the *Rochester Democrat and Chronicle*, containing an editorial on the lecture which will amuse you. The lecture has evidently bothered them.

I spoke for an hour and three quarters before the Free Religionists, to an audience of over one thousand, and in the evening to another thousand in Father Scully's Hall for an hour and a half, and yet my throat was not in the least fatigued, although I suffered from the heat in the latter place. Every body was very kind.[62]

Chapter XX

OTHER BUSINESS

Unfortunately other affairs, besides the great School Question, claimed Bishop McQuaid's attention. The Summer of 1876 saw him threatened with a lawsuit for back interest on loans to the Cathedral by Father Early, who had resigned from the rectorate of that parish. At his request, Bishop McQuaid had granted him permission, April 22, 1876, to leave the diocese forever and place himself under the rule of Bishop Ryan of Buffalo. Under the same date, Bishop McQuaid wrote the latter:

> Father Early leaves of his own choice. I do not care to ask him a second time to stay; indeed his stay any longer in my house is impossible.
>
> His whole course has been singular. Sometimes he seemed to work heart and soul for the diocese, and then his actions seemed the very opposite in character. I ought not to have kept him in my house as long as I did. Knowing, however, that it was for his interest, I bore with much that I should never have borne with. What has disturbed him of late has been an evident determination on my part to bring about a better order of things in house and Cathedral financial matters. We have not paid expenses any one year since the Cathedral has been opened. This could not go on without involving me.
>
> Now Father Early's moral and priestly character is above reproach. I am not only pleased to have you receive him, but I would beg it as a favor. If he should go among strangers, he would meet with a coldness, he little dreams of. You can easily understand, Monseigneur, that to appoint him as Vicar General, or as Rector of your Cathedral, very soon after his leaving here would seem to reflect on me. Anything else, no matter how exalted, will give me real pleasure.
>
> I hope to retain Father Early's good will. Certainly I have for him only sentiments of kindness, affection, and gratitude.

The annoyance occasioned by this made Bishop McQuaid confess to his old Bishop, June 15, 1876: If I could have succeeded in curing him of certain defects of character, it would have given me sincere pleasure to have used my influence in

trying to put on his brow the perilous crown he covets. With age these defects grew instead of diminishing. Bishop McQuaid later explained more in detail to Archbishop Bayley of Baltimore how the Cathedral of Rochester had suffered financially in Father Early's administration as Rector since the establishment of the Diocese despite the latter's personal loans to the parish for which he was now demanding back interest.

> During the past weeks I have more frequently thought of old times in Newark than ever before.
>
> You know I found here a Vicar General who had expected to be bishop. He has never recovered from the disappointment. Since I came here he has never paid current expenses, and during the last four years, when absolutely no improvement has been made or unnecessary expense incurred, he has increased his debt by from two to four thousand dollars. Over one half of the pews have not been rented, and no effort made to raise money. Unable any longer to stand this condition of things, I demanded that efforts should be made to ensure success, when the good gentleman resigned and asked to leave the diocese. I accepted and let him go, giving him a very kind letter of thanks for all he had done. He leaves my house and takes up his quarters at a public hotel, close by the Cathedral, until taken away by a priest.[1]

The very same day Bishop McQuaid wrote Bishop Corrigan that Father Early "never hinted at the possibility of such a charge, never made any entry of interest, but often to me and others stated that his money was without interest. He reproached me more than once that I was not sufficiently grateful for his great generosity in giving his interest to the Cathedral. He now demands interest and threatens suit. I advised a reference first and then, if he so wishes, the civil courts. He has accepted the reference. We expect the matter to come before the referee in the beginning of next week." Bishop McQuaid had made known the indebtedness of the Cathedral to the Congregation the previous Sunday, June 11, 1876: "It opened their eyes and let them know why a change had become necessary. It amounted to $82,000, without including Father Early's interest, that included, it would amount to over $5000 additional."[2] In fact, that sum was added to the Cathedral's liabilities, at least legally, when Father Early obtained a judgment in his favor. One of its

consequences made Bishop McQuaid appeal to Bishop Ryan of Buffalo, October 1, 1876:

> The Clergy of the diocese of Rochester, at the close of the retreat last week, formed a diocesan corporation to own and hold the episcopal residence as diocesan property.
>
> The Bishop's House has been built and paid for by the diocese. The ground, on which it stands, was bought for $12,000, which sum was to be paid by the Cathedral congregation. While waiting to be able to pay it, the property was mortgaged for the amount of the cost of the ground. The only parties, having any just claims against the property, are the diocese and the Insurance Company holding the mortgage. "St. Patrick's Church Society," which is the legal title of the Cathedral Congregation, has not paid one dollar for the building or the ground. It has paid, it is true, the interest of the mortgage loan, which, however, is more than offset by the use of the building for the residence of its clergy.
>
> An obstacle to the carrying out of the design of the Clergy is found in the fact that the judgment obtained by Father Early stands as a lien on this property as well as on the Cathedral. Whatever claim he may have against the Cathedral congregation, he can have none against the Bishop's House. If he should deny this clear statement, he will be able, by facts and figures, to prove the truth of his denial.
>
> I write to ask you, as the ecclesiastical Superior of Father Early, to demand of him that he relieve the Bishop's House and the ground, on which it stands, of the lien against it in his name, so that the diocese may acquire a clear title to a property already belonging to it on every principle of right and justice, save to the extent of the encumbrance of the mortgage held by the Insurance Co.

After this purely business part of the letter, Bishop McQuaid took occasion to add: "Later you will learn something of the scandal to religion caused by the extraordinary proceedings, acts, and language of the late Rector of this Cathedral. The harm is not confined to this diocese and will extend very far before it comes to an end." Nevertheless, Bishop Ryan hastened to reply, October 4, 1876:

> I am very unwilling that there should arise any disagreement between myself and a neighboring Bro. Bp., and I am most willing to do anything, consistent with my own sense of selfrespect and principle, to avert such a misfortune. But I must decline to interfere in any way or to have anything to do in regard to difficulties between yourself and Rev. J. Early. I cannot use any ecclesiastical authority over him in this matter, and from the very commence-

ment I resolved to be an utter stranger to all his money matters, so that on principle I must decline to be in any way even a medium of communication with him on such matters. Whatever is to be done must be done directly with him, and I do not think you ought to ask me to become mixed up in any manner in this disagreeable business. I may be mistaken, but these are my views, and I cannot act in opposition to them.

I can understand that there was more or less scandal, as I forsaw that there would be, arising out of these matters, but if there be anything scandalous or tending to the injury of religion since he actually came to my diocese and was definitively recognized as belonging to it, I am not aware of it. I shall willingly take cognizance of any charges against him since then, for I do not wish any clergyman in Buffalo to be a source of scandal or an apple of discord among brethren.

Pardon me if I fail to see things as you do, and be assured that it is with regret that I am forced by my own convictions to refuse compliance with what you request.

Nothwithstanding this, Bishop Ryan, in his subscription, professed to be the "humble Servant and devoted Brother in Christ" of Bishop McQuaid. The latter had difficulty in believing it, and so he promptly assured the former, October 6, 1876:

The conclusion, at which you arrive does not surprise me. Still, it was advisable to make the request contained in my former letter, no matter what the result might be. That letter was written more to bring certain facts to your knowledge than through any expectation of interference on your part.

When I so promptly transferred Father Early from this diocese to that of Buffalo, I had no suspicion that he would follow the course that it has pleased him since to adopt. You cannot be ignorant of what is matter of public notoriety. You are cognizant of his treatment of me as well as of his appeal to the civil courts against the church, of which he had been Rector, for interest of money made in and through the church, which he left poor and almost swamped in debt while he claimed $20,000. I did not ask you to interfere with the enforcement of his claim against the church, but only to hinder him from attempting to do so against the Bishop's House, in which "St. Patrick's Church Society" had not a dollar of interest.

I could not ask you to interfere in behalf of the Church, for we all infer, from the favor that you extend to Father Early, that his legal proceedings meet with your approval. Scarcely had he carried his point at law before he was in Rochester to inform priests and people that he was now to take charge of the Cathedral of Buffalo. Whether you place him as Rector or only in charge of its finances, the people and the priests judge that his conduct is justified by you.

This fact has given more scandal than his suit for interest. Father Early has known how to make good use of the moral support of his new bishop against his former bishop. Every one rightly assumes that Father Early would not have presumed to bring a claim for interest before the civil courts had he not felt strengthened to do so by the tacit consent of the bishop who sheltered him.

It is behind your protection that Father Early has labored to injure me in the estimation of Catholic and Protestant, of laymen and priests. It is from your house that he has appealed to the Civil Courts for the obtaining of interest on moneys gathered while a priest of this parish. It is after his promotion to a position in your own household that he threatens to enforce an unjust judgment against either the Cathedral or this house. I wrote to inform you that this house was in no sense but a legal one the property of St. Patrick's Church Society and to ask you, as Father Early's ecclesiastical Superior, to demand of him the removal of this judgment from this house that it might become diocesan property in law, as in reality it is. This request you decline complying with.

Bishop Ryan noted on the envelope of this letter that he answered this indictment "sharply, October 10, 1876. It made Bishop McQuaid feel, at least for a time, that he had made a mistake. He, therefore, replied to Bishop Ryan four days later:

When I last wrote, it was with a full conviction that you were cognizant of Father Early's suit against "St. Patrick's Church Society," which you might have prevented, but did not care to interfere with, and that you had given Father Early temporary charge, at least, of your Cathedral.

Shortly after the rendering of the decision by the Judge, Father Early came to Rochester and circulated the story among priests and people that he had been appointed to the charge of the Cathedral of Buffalo. If he deny this, Father O'Hare will certify that he so stated to him. The effect of this deliberate lie, as it now appears, was to represent you as approving of his course, including his suit just ended, and as condemning me. Under this conviction, that you had appointed him to take charge of the Cathedral, great scandal was taken by many, and I need not tell you how deeply I felt wounded.

The suit at law to recover interest for money, gained by a priest while in charge of a church from which he escaped when it was almost swamped in debt, was brought by Father Early—for which, unless I am much mistaken, he is now under the censure of the Church—, and my suggestion, that he should spare religion the scandal of a public court, the newspapers, and a jury trial by bringing his case before a Court of Arbitration or Reference, in no way lessens his guilt of appealing to the Civil Courts for justice, which

he must still seek there. Both are Civil Courts, only one is less public than the other.

I never suspected, until I received your letter, that you were not fully aware of all that he was doing in this matter of suit at law.

Before you get through with Father Early, you will discover that one, who has lied persistently and in grave matters to one bishop, will not hesitate to do so to another. I do not write to find fault, but to state facts that you may not be deceived too much by Father Early, and also to ask pardon for having believed against you what seemed so evident and upon so direct authority. That I feel very keenly Father Early's unpriestly and malicious treatment of me, in utter disregard of the harm to religion, you will readily understand. When I thought I had reason to believe that a brother bishop had sided with him in some degree, I was cut to the quick. You will necessarily have your own share of trouble, but I pray God that you may never know what it is to suffer from the treachery and deceit of one honored and trusted by you for years.

Although Bishop McQuaid had thus been brought to apologize to Bishop Ryan, the Early trouble was really the beginning of life-long friction between the heads of the two neighboring diocese. For Bishop McQuaid's first adverse judgment of Bishop Ryan's conduct in the case seemed to him to be supported by subsequent developments that led him to write Bishop Ryan, July 8, 1877:

Your kind invitation to meet Dr. Conroy came while I was from home, to which I returned only on Friday last.

Still had it come in time, it would not have been in my power of selfrespect to have accepted it. Knowingly I do not intend to expose myself to a meeting with Father Early. As you have already informed me, that you do not wish to hear anything of his conduct even while all his power for mischief proceeds from the apparent protection you lend him and the use he makes of it, it is useless for me to say more.

Father Early's successor had, meanwhile, been appointed at St. St. Patrick's Cathedral in Rochester. Bishop McQuaid felt that he had made no mistake when the administration of the new Rector, Father O'Hare, showed what could be done. Even the first months gave proof of satisfactory results which Bishop McQuaid made known to Bishop Corrigan, February 15, 1877:

I am very well and much at home, having made up my mind to refuse all invitations to lecture etc. Besides, having been around the diocese for about five months, I find it advisable to appear in

the Cathedral for the next five. The new Rector is doing remarkably well, financially and in other ways. Whereas since the opening of the Cathedral, the former Rector was never able to meet current expenses by from two to four thousand dollars, this one closed the first year by a surplus of over $900. The humor of the few disappointed ones has changed wonderfully, and appearances are that, if times improve a little, we shall be able this coming season to clear off some ten thousand dollars of debt.[3]

Bishop McQuaid held "a meeting of the Cathedral gentlemen to consult about paying off a large slice of its debt," May 28, 1877, but the meeting was a failure, "thanks to Father Early's friends in a great measure." Nevertheless, Bishop McQuaid had reason to expect "that efforts will be made to raise about $10,000."[4] He must have been a bit surprised by the conduct of a special committee that met in his house a few days later, as "they stated that some people said that, as the perquisites for baptisms and marriages amounted to so much, the bishop might take less for the support of his house till times became better. The estimate put on the perquisites was from $3000 to $10,000 *per annum*." The Bishop was quite prepared to meet the situation, as he informed Bishop Corrigan, June 2, 1877:

It so happens that every fee received is marked down with date and name of party giving it. I asked the Rector to give me the gross amount from Jan. 1, to May 31. It amounted to $269. Our calculation was that, on this basis, we should receive about $600 this year. They could account for Father Early's great wealth only on the supposition that his perquisites had been enormous. The Committee was astounded. I told the gentlemen that my salary of $1000 and much more were needed for the support of the house; that if the Cathedral would provide a house for its priests, it would be a great economy for me; that I would much prefer to be alone with my Secretary. The tradition of the old trustee times hang about the place.

I have five priests here in the house, although the Cathedral pays the salary only of the Rector and $200 additional. One acts as chaplain for Nazareth Convent at $400 *per ann.* The Chaplain at the Refuge receives $500. The hospital pays $400 and the Boys' Asylum $100. One priest manages the financial affairs of the Cemetery and receives $500.

Thus you see that I manage to save the Cathedral, for which I receive only suspicious criticism. Patientia! The good people would be pleased to have me make the diocese pay for the Cathedral, as Bp. Timon did in Buffalo. I have, however, no such notion.[5]

ST. PATRICK'S CATHEDRAL

Used the first time March 17, 1869; dedicated November 6, 1870. The Sanctuary and Sacristies were enlarged, Lady Chapel added, and the Tower completed for the consecration of the Cathedral October 5, 1898.

THE BISHOP'S HOUSE, 1869-1910

Also used as the Cathedral Rectory

In fact, as soon as occasion offered, Bishop McQuaid had stopped one of the largest perquisites of the Rector at the Cathedral. As early as August, 1875, he had "sent the case of large sums of money for one mass on All Soul's Day to the Holy See." Without waiting for a reply, he took action in regard to the matter in one parish of the Diocese, as he informed Bishop Corrigan, November 4, 1876: "With the departure of Father Early from the Cathedral, I put a stop to such doings here, though I have not interfered in the rest of the diocese. I once brought the case before a meeting of our province. The Cardinal said that, as the people chose to give their money, it would be hard to forbid the practice. The people are schooled to false notions; they imagine that there is some extraordinary advantage in that particular mass." Rome was slow in giving a decision of the case, and Bishop McQuaid was, finally, pleased "to learn that the postulation I sent Rome has not been thrown in the waste basket, which I feared had been its fate. It is to be feared that our Cardinal has softened them down in their view of the question."[6] Bishop Corrigan, who was then in Rome and was Bishop McQuaid's informant, saw quite clearly what would be Rome's answer. This did not suit the Bishop of Rochester, who gave strong expression to his feelings in the matter:

> The abuse will continue and grow. Who will take the trouble against their pecuniary interests to instruct their people properly? Honest and disinterested priests do not resort to an expedient to raise money that has the appearance of false pretences. Our poor Irish people do not understand the subject rightly, or they would not throw away their money as they do. They are under the impression that the benefit is in proportion to what they pay and that the mass on that day has peculiar and extraordinary advantages. The custom exists *only* mong our *poor Irish people.* I cannot regard the *custom* in any other light than as calculated to bring discredit on religion and the priesthood. There are quasi-Catholic papers that never lose a chance to attack bishops and priests, which will certainly make the changes ring on this abuse when it comes to their knowledge. Under the decision foreshadowed, good priests will abandon the custom; the others will continue it. Could you find a way to suggest these difficulties to the Congregation?[7]

The decision was given at Rome, January 27, 1877, by the Sacred Congregation of the Council in reply to the doubt submitted by the Bishop of Rochester: "Let nothing be inno-

vated; only a tablet shall be erected in the church to teach the faithful that one mass is sung for those very alms on All Soul's Day."[8] This did not allay Bishop McQuaid's scruples: "It seems to hold that the mass is for all the souls in purgatory, and not simply for those who pay and in proportion to the pay. I propose, while accepting the answer, to question them still further. It may be as well to say nothing about the matter at present. Besides, they assume a custom to exist, which is only seeking a beginning. The Cardinal has evidently been consulted; he favors the custom."[9] Nevertheless, Bishop McQuaid still expostulated against the practice, when he informed Bishop Corrigan, September 9, 1877, that he would find the case about the All Soul's Mass in the last *Acta:*

> Does it not seem like trading in holy things to offer that mass for those who pay and in proportion to what they pay? The case is clear enough. A priest can take a thousand dollars as alms, or as much as intelligent and well disposed people choose to give. But our trouble lies in the deception on the part of the priest and the ignorance of the people. Leave the people alone, and there is no danger of their offering money profusely.[10]

Bishop McQuaid made the right choice in Father O'Hare, the successor to Father Early. In less than five years the indebtedness of the Cathedral was brought down to $47,923.85. Of course, Bishop McQuaid himself was helpful in clearing St. Patrick's Cathedral of some of its debt, as he wrote Bishop Corrigan, January 14, 1881:

> When the new Rector of the Cathedral took charge, he found it in debt about $90,000. I put $12,000 of this for the purchase of the ground for the episcopal residence on the diocese, and transferred this property to the diocese. All the Cathedral now owes is $46 or $47,000. The annual report will not be in until the 20th of January. I hope in five or six years' time to have all the church property in the diocese clear, or nearly clear of debt, with the exception of three or four churches. These will need a longer time. For a bankrupt diocese we are doing quite well. I shall be glad to hear that others are doing better.[11]

Father O'Hare had found it hard work to start the reduction of the debt which really at first amounted to $81,724.90, including a sum of balances due to the former Pastor of $13,434.41. To this was added $6,634.18, when Father Early sued the Church for back interest and was awarded a judg-

ment for this amount, which, however, was ignored by the Cathedral Corporation. After Bishop McQuaid had the priests of the Diocese, on behalf of their parishes, assume the mortgage of $12,000 on the ground of the Bishop's House which the Diocese had built, the indebtedness of the Cathedral still amounted to $69,724.90.[12] Bishop McQuaid himself admitted, and the financial statements bear him out, that "for two years it was as much as we could do not to increase our indebtedness."[13] While Bishop McQuaid was in Europe for his official visit to Rome in 1878/79, his heart was gladdened by the news of the success of the first great effort made to pay off the debt. A Carnival of Nations, under the special direction of Patrick Mahon, netted to the Church $8,000.00.[14] Bishop McQuaid wrote Archbishop Corrigan, May 14, 1883: "This success gave heart to the people and each year since by direct contributions, without resorting to fairs and festivals, we have reduced our indebtedness to $32,000."[15] He did not, however, tell him how encouraging his own generosity must have been to priest and people, when an Insurance policy on the life of Bishop McQuaid, maturing during the year 1880, plus a subscription of more than $3,000, made it possible to reduce the debt of the Cathedral by $11,745.00, of which $5,000.00 were paid to Father Early, the balance due him on $13,434.41, with interest accrued since April, 1876.[16] The further work was accomplished through the organization of the *Cathedral Debt Association,* April 1, 1881. The contemporary history of the Cathedral Parish tells of its success:

> The parish was divided into thirty-three districts and to each district were appointed a manager and a number of collectors, among whom the district was again subdivided, and thus thoroughly canvassed for at least a ten cent weekly subscription. The result of this persistent work, on the part of all concerned, was most cheering. A full report was prepared at the expiration of the year, April 1882, and printed in pamphlet form and distributed to the congregation. $9,213.00 were realized, and the debt of the Cathedral Congregation was reduced January 1, 1882, by $7,927.00.
>
> Cheered and encouraged by such great results from such small, but regularly given weekly offerings, the Association was reorganized May 1, 1882. P. Burke was elected President, R. Whalen Vice-President, Rev. Jas. F. O'Hare, Treasurer, Chas. P. Barry and Frank J. Hone, Secretaries. In most cases the same managers and collectors served in the same districts as in the previous year. The gross amount received during this second year of the Association's

existence was $7,325.00 and the church debt was reduced January 1, 1883, some $7,250.00, leaving a balance still of indebtedness on the Cathedral of $32,745.00.

In April, towards the close of the second year of the Cathedral Debt Association, the Rt. Rev. Bishop alluded to the Church debt, saying that inasmuch as the indebtedness of the Cathedral was then about $32,000, he believed the Congregation was able to raise the full amount; and, because it was able, therefore, it should and would be raised, if the more wealthy members came together and did their full duty. As a result of this appeal, fifty-seven members of the congregation were found willing and glad to pay $25,000, provided $7,000 would be raised by the other members of the congregation, so as to clear off all just claims against the Cathedral property. A Committee was appointed, consisting of the following gentlemen: Jas. O'Donoghue, D. O'Grady, Jno. Dempsey, Thos. H. Groves, E. J. Kelly, Dr. R. Curran, O. E. McCabe, Geo. F. Flannery, Martin Barron, A. B. Hone, Jno. E. Watters, R. Whalen, P. Joyce, Thos. J. Neville, Geo. F. Nier, R. Williamson, R. H. Quinn, Chas. FitzSimons, R. F. Burke, Andrew McDade, Wm. Hartigan, Edward Fox, Maurice O'Connell, P. Burke, and M. Swan, who canvassed the church for three Sundays and succeeded in raising the desired amount.

On the 12th of July, 1883, the fifteenth anniversary of his Consecration, the Bishop was able to announce to the congregation that the full amount necessary to pay off the indebtedness was raised, or secured, and on Jan. 1st, 1884, the Rector, Rev. James F. O'Hare, in his annual statement to the congregation, showed the amount received by this united and generous effort to be $32,381, which was more than enough to pay off the last *just* and *honest* claim against the Corporation, and leave a balance in the Treasury of $1305.15.[17]

Bishop McQuaid naturally followed the work of the Association closely. May 23, 1883, he informed Archbishop Corrigan: "The subscriptions for the liquidation of the Cathedral debt are coming in freely. The subscriptions exceed the amount required, but we calculate on a percentage of non-payments. The poor have surprised us by their generosity even more than the rich."[18] The success of the undertaking pleased him immensely, as is evident from his letter to the Archbishop, August 17, 1883: "The effect on the congregation of the paying off of the Cathedral debts has been excellent. The croakers prophesied failure, and now are amazed. It is no small thing for us to be able to say: We did not need your help after all! These were, however, few in number. We received nearly $2,000 more than was needed."[19]

Meanwhile, Bishop McQuaid had been in Rome for his visit *ad limina,* which took place at the end of the year, 1879, and extended into the earlier part of the following year. In view of this official visit to the Apostolic See, he found it necessary to make a visitation of his diocese. He wrote Bishop Corrigan, March 15, 1878, anent the matter, asking for information about his method of procedure in this work:

> Do you give confirmation at these visitations, or do you only look into the affairs of the parish? What rule have you to guide you? What is laid down in the Ceremonial is for the most part useless. Do you notify Pastors what will be expected? I have never made a visitation such as Rome expects, and it will be necessary for me to do so this summer. I do not propose to go to Europe sooner than October. It may be that, in answer to my question, Rome will say: Come right away! I sent them a conundrum in this shape: My visit *ad Limina* was made in May 1870, which was for the decennial period ending in May 1875. When does my next visit become due under the letter of instruction sent out in relation to these visits? I wrote in January, and still wait for a reply.....
>
> By waiting until October, I can attend to Excelsior Farm this Summer, and get through a good season's work. My intention is to leave about the end of October, spend Christmas in Rome, ramble through Italy, after Easter go to Germany, Switzerland, France, Great Britain, home in the beginning of the Summer of 1879. These fine calculations suppose the possibility of a little money. If I find that the money is not forthcoming, and Rome insists on the visit this year, I will go and be back in six weeks, leaving the rambling about to another occasion.[20]

The letter from the Propaganda reached Bishop McQuaid at beginning of April, and informed him that his "visit for 1875 is due, and must be paid *quam primum.*" This meant October for Bishop McQuaid. Preoccupied as he must have been with the preparations for the trip to Europe, Bishop McQuaid did not hesitate to take the time in the early Spring to enter into controversy when he thought it necessary. He informed Bishop Corrigan accordingly, April 8, 1878: "I have just written an article on Cox in reply to some of his infamous assaults on others in the *Princeton Review.* It is written with gloves off and in my most bitter style. I turn the tables on himself, and carry the war into his own camp."[21] In fact, his pen had not been idle the previous month as he confessed to the same Bishop, March 15, 1878: "I have been writing a good deal for the *Catholic Times* of Waterloo. It gives me an

opportunity of saying things that as a bishop I would not care to say. I send you this week's issue with my article marked. In last week's I wrote on higher education in reply to the *Rochester Sunday Herald,* and the 'Daily Mass' in Schools." Soon after this the visitation of the Diocese was in full progress. Bishop McQuaid became quite enthusiastic about it in writing to Bishop Corrigan, June 27, 1878:

> My visitation is going on very successfully. I now wonder that the ceremony was not customary among bishops. I never heard of it before in the U. S. I do not see how the bishops answer the questions in the 'Relatio'. Every one must have supposed that the confirmation visitation sufficed. I propose to make the canonical visitation every third year, and to go on confirming at the convenience of the priests and parishes. I send you a sheet I have had prepared. These sheets are in books large enough for each church in the diocese. The one I take around with me is filled up in pencil. It will be copied in ink, and one copy will contain the 'Relatio', a map of the diocese, etc., and will be handed in to the Propaganda as my report. My experience satisfies me that it is better, in a diocese like mine, to have the visitation every third year from parish to parish day after day. The priests knowing that you are coming prepare and provide what is wanting. Yesterday at Greece old Father Maurice received me in French style with an address at the door of the Church.[22]

A fortnight later Bishop McQuaid again wrote Bishop Corrigan: "The visitations continue with regularity. Everything is carried out as prescribed in the ceremonial. I preach from an hour to an hour and a half. I have four points, namely: the care of children, secret societies, good and bad reading, loyalty to Church and priest. All the prayers for the dead are said or sung, and the visitation is made according to the program I sent you. There has been a great awakening among the priests, who now feel that it would have been better, if these visitations had taken place sooner. On the whole, they are much pleased. I am sometimes surprised at the completeness of some churches." Naturally Bishop McQuaid took much pride in his own Cathedral. He was pleased to note accordingly: "The Cathedral was perfect yesterday. Many curious eyes followed me to spy out defects. I had challenged the German priests to do their best." The work proved to be strenuous, but an occasional visit to Hemlock Lake put him into such good condition of health as to allow the boast: "I

go on with my work and wear out all the priests that accompany me for a few days."[23] The task was pretty well accomplished towards the end of September. For, September 23, 1878, he informed Bishop Corrigan: "Every parish in my diocese has been visited canonically but five. These places will be attended to on my return."[24] On the eve of his departure for Rome, Bishop McQuaid rounded off the work by addressing his people, October 4, 1878, in a pastoral, in which he summarized the main points of his visitation sermon. It was also his farewell message to his priests and people before leaving for Europe:

> In a few days your Bishop will leave for Rome to pay to the See of Peter the decennial visit due from him by virtue of the oath taken at his consecration. At the tombs of the Holy Apostles, Peter and Paul, he will pray for the Church, and his own diocese in particular; at the feet of Peter's successor, Leo XIII., gloriously reigning, he will humbly lay the offerings of his diocese, and present to the Sovereign Pontiff, along with his own sentiments of homage, veneration and obedience, those of his priests and people.
>
> During our absence, the diocese will be administered by our Vicar-General, the Very Rev. James T. McManus.
>
> We earnestly entreat the priests of the diocese, our zealous and devoted co-laborers in this portion of the Lord's vineyard, to remember us at the altar, and from our beloved children of the laity, obedient and true always, we ask, in all humility, their prayers, and especially those of their children.[25]

BOOK V
CHURCH POLITY

Chapter XXI
REMOVAL OF PRIESTS

Bishop McQuaid's visit to Rome took place at a most critical moment in the development of the Catholic Church in the United States of America. A movement had been brewing to obtain from Rome a better regulation of the canonical standing of priests. Meanwhile, everlasting appeals to Rome seriously threatened episcopal government of the diocese by undermining episcopal authority. The establishment of an apostolic delegation did not appeal to Bishop McQuaid as the proper solution of the trouble. He expressed himself emphatically against such an institution in America even as early as February 15, 1877, when writing Bishop Corrigan of Newark:

> The "Apostolic Delegate" business is a very serious one, and one destined to make trouble if followed up. Instead of keeping up our own warm love for Rome, it will have a contrary effect. The only reason for the change that I have heard indicated has been to lessen appeals to Rome. Will he lessen them? I doubt it. But he will have complied with certain forms of procedure better than bishops now comply with them. Rome will have to take into account our peculiar condition and adapt her regulations to it. The attempt to carry out the requirements of the *old* canon law will end in disaster to religion. Protestants now congratulate us on our method of washing our dirty linen at home and out of sight of strangers. Of course, priests have a right to justice and to exemption from injustice on the part of a bishop, old, feeble, or likely to be deceived when trusting to his own judgment. The more quiet the way in which the examination or trial takes place, the better for religion and the priest, provided the latter has been sufficiently protected against a mistaken or false judgment.
>
> Has Rome any conception of our difficulty in obtaining evidence against an accused priest among the Irish people? . . . Witnesses

who are willing to appear before a bishop will not present themselves before a body of priests. At least let Rome proceed cautioned before imposing on us an iron clad form to go by . . . So if you have an opportunity, give them some plain talk. They hear too much that is according to their own preconceived notions of what ought to be, and not enough of the unpleasant truths concerning our actual condition and difficulties. An "Apostolic delegate" will in my judgment be an unmitigated misfortune. Sycophants will gather around him and use him. Let us be as we are. Still I hold that justice demands that a priest should have a right to a trial by his brother priests whenever accused of a crime for which the bishop proposes to punish him. The mode of this trial makes the difficulty.[1]

Bishop McQuaid felt confirmed in his judgment of the inadvisability of establishing an apostolic delegation in the United States by his experience with Dr. Conroy, who received an appointment of this character to Canada.[2] Despite his fears, he at first thought that some good might after all be effected through this man, as he wrote Bishop Corrigan, March 15, 1878: "What is the Apostolic Delegate after? Is he to be one for the United States? He will do a great deal better than an Italian. I am afraid of the creation of a sort of secondary Rome to which sycophants will at once begin to pay court. No doubt, some one on the ground fully competent to understand our affairs would save trouble and annoyance. Besides, if the Decrees of Baltimore are not our rule, Rome should settle quickly the rule by which we are to be governed and to govern."[3] Later, however, Bishop McQuaid observed in a letter to the same Bishop, June 27, 1878: "He is evidently made the receptacle of all the grumblings of the Western Hemisphere. I had heard about great troubles in New Foundland from a priest who met the Delegate in the cars before receiving your letter. The Delegate spoke rather freely about there being serious difficulties in that Island and of his intention to visit it immediately. The story also runs that he has forty complaints from California. As the bishops in California are saints, this is consoling for a poor sinner like me."[4] Bishop McQuaid had, in fact, heard that his own reputation had been blackened with Dr. Conroy. He was grateful to Bishop Corrigan for the information: "You did no more than a duty of friendship in making known what had been said about me. It was all too serious to be ignored. We shall

never bring about a change in this calumniating of bishops until we show that we are not disposed to submit tamely to their insults. If that Canadian Bishop attached no importance to the story, why did he so tell it that the Delegate took it seriously? Whatever the latter may now say, he was greatly impressed by its truth, or he would not have spoken to the bishop of Buffalo on the subject, nor would he, in speaking to you, have alleged, as his justification for speaking of the matter, that his authority was a bishop."[5]

Even if the remedy was not the Apostolic Delegate, Bishop McQuaid was convinced that something had to be done. March 15, 1878, he asked Bishop Corrigan: "What are we to do about this appeal business? Rome is to blame for the trouble she brings to her own door. An appeal should be from a trial at home to the Metropolitan and then to Rome. Now if I remove a priest, his cry is, I appeal to Rome! He has no notion of making an appeal, but to say so implicates the bishop as doing something unjust against which an appeal is right. A short time ago, last October, one of mine was removed for cause. He chose to return to Ireland to my great satisfaction, but gave out that he was going to Rome to appeal against me. I have written to Rome to insist that he shall appeal, or return to the diocese and be dismissed in proper form. After I had written to the Cardinal, I received a letter from the reverend gentleman informing me that he had abandoned his appeal."[6] To meet difficulties along these lines, Propaganda actually issued, July 20, 1878, an instruction, making provision for an Investigating Commission in disciplinary and criminal causes of clerics. Before this, the Second Plenary Council of Baltimore in 1867 had made the procedure, prescribed in the Provincial Council of St. Louis in 1855 and approved by the Holy See, the common law for the entire Catholic Church in the United States. It contained the following provisions:

> Priests, to whom the exercise of the priesthood has been interdicted by the sentence of an Ordinary, have no right to demand support from him, since they have rendered themselves, by their own fault, incapable of doing work for the missions. However, to take away all cause of complaint, the Fathers thought it expedient for Ordinaries, in criminal causes of clerics or priests, to observe a certain form of trial that approaches as closely as possible that

prescribed by the Council of Trent; namely, the Bishop, or his Vicar General by his commission, shall choose two consultors of the same Bishop, but not always the same ones, who shall assist him in judging the priest charged with crime, but before a notary of the Bishop himself. They, however, shall have one vote together, but one of the two shall be able to join with the Bishop. If both disagree with the Bishop or his Vicar General, he himself shall elect a third from his aforesaid consultors, and the cause shall be terminated according to that party with which the third one agrees. In case, however, that all the consultors elected by the Ordinary disagree with his sentence, then the cause ought to be referred to the Metropolitan, who will weigh the motives of the sentences and give judgment. When, however, it shall be question of the Metropolitan's subject that is charged with crime, and all the Metropolitan's assessors disagree with his sentence, then appeal shall be made to the Senior Bishop of the Province, whose sentence shall be final, saving always the privileges and authority of the Apostolic See.[7]

Propaganda confessed the inadequacy of this procedure to prevent complaints on the part of those who were subjected to punishment. In recent times condemned priests, especially those removed from the office of missionary rectors, frequently had also taken recourse to Rome, where it was found that additional necessary matter was not rarely lacking in the minutes transmitted. When all was considered there, grave doubts arose whether credence was to be given to the documents offered in the case. Propaganda, therefore, was determined to remedy the defective judicial process to protect innocent clerics from injurious punishment and to prevent the escape of guilty ecclesiastics from all measures of discipline. While this could be attained by a full observance of all the prescriptions of Canon Law in the trials of clerics, Propaganda conceded that the condition of the country did not easily admit of this, and so in a general meeting, June 25, 1878, with the approval of Leo XIII, according to its decree, Propaganda strictly commanded each Bishop to appoint, in a proximate synod if possible, five or at least three most approved priests, skilled in Canon Law, if more were not available, as an Investigating Committee or Council, with one of the members as president, to examine into criminal and disciplinary causes of priests and other clerics, rightly to take cognizance of them, and so to furnish the Bishop help in terminating them. This meant an accurate

investigation by the Commission, with the production of all testimony and an examination of the one presumed guilty, in order to bring out the truth and to supply arguments, certain or firm enough, to pronounce safely and prudently a just sentence. For the removal of a rector from his mission, at least three members of the Commission had to be employed by the Bishop to take cognizance of the cause and give counsel. The Instruction issued by Propaganda, July 20, 1878, gave in detail the process to be followed by the judicial Commission in the cognizance of causes, especially of those in which it was question of removing definitively a missionary rector from his office.

1. There shall be no recourse to the Commission of investigation except the missionary rector himself prefers to have the matter brought before the Council rather than resign of his own will from duty and office after the moving cause for final removal has been first clearly and precisely exposed by the Bishop.

2. When the matter has been brought before the Council, the Bishop shall give a commission to his Vicar General, or to another priest deputed to this by himself, to put in writing a relation of the cause with an exposition of the investigation thus far made and of the circumstances that especially affect the cause and the proof of the same.

3. He shall indicate the place, day, and opportune hour for the meeting, and that by letter to each councillor.

4. He shall also summon by letter the missionary rector in question to the place and on the day constituted for having the Council, expounding, unless prudence prohibits as in the case of secret crime, the moving cause for removal in detail and admonishing the rector himself to prepare in writing the reply supported by reasons to those things that have been already related before in the exposition of the cause either by word of mouth or then in writing.

5. When the Councillors convene at the time and place set before, the Bishop shall command silence to be observed anent those things heard in the Council; he shall admonish them of the fact that the investigation is not a judicial process, but held for the purpose and to be made in a way to reach a knowledge of the truth with the utmost possible diligence, so that each councillor, having weighed all, shall be able to form as accurate an opinion as possible of the truth of the facts on which the cause rests. He shall also give warning that nothing be done in the investigation to expose either themselves or others to the danger of loss or complaint, especially that there be no room given for an action of libel or any other process whatever before the civil tribunal.

6. A relation of the cause shall be read before the Council by the official of the Bishop, who shall also reply to the interpellations to be made by the president or by other councillors through the president to obtain a larger knowledge of the matter.

7. Then there shall be introduced into the Council the missionary rector, who will read the reply made by him and likewise will reply to the interpellations; he shall be given full power to produce all those things that can contribute to his defence, but within the time to be determined by the Council.

8. In case the missionary rector, whose cause is in question, is unwilling to come to the Council, he shall again be summoned by letter, and a congruous space of time shall be fixed for him to appear, and if he appear not on the constituted day, he shall be held to be contumacious, unless he has been legitimately hindered.

9. When all things have been rightly fulfilled, the Councillors shall deliberate together, and if the majority of the Councillors judge the facts to be sufficiently established, each councillor shall expound his opinion in writing and express the reasons upon which it rests; the opinions shall be gathered together; the minutes shall be written in the Council by the official of the Bishop, and shall be signed by the president in the name of the Council, and shall be delivered to the Bishop in full together with the opinions of each.

10. If a further investigation shall seem necessary or congruous, on that day itself or on another set by the Council for the meeting, witnesses judged opportune by the Council shall be called, the missionary rector having also been heard anent those whom he himself wished to have called.

11. Each witness for the cause shall be examined separately and accurately by the president and by others through the president, at first in the absence of the missionary rector. An oath shall not be required, but if the witnesses themselves do not refuse and declare themselves ready to confirm by oath what they depose, there shall be made a note of a disposition or declaration of this kind in the minutes.

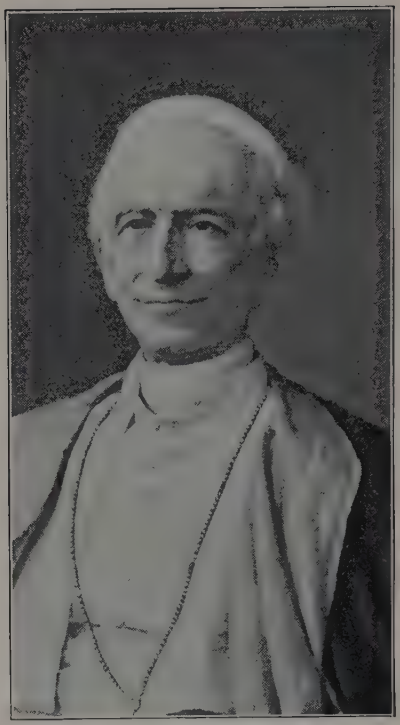
12. The testimony shall be repeated before the missionary rector with the consent of the witnesses and under the directing prudence of the Council, and he himself shall question the witnesses if he so wish, through the president.

13. The witnesses against the cause shall be examined the same way as the witnesses for the cause.

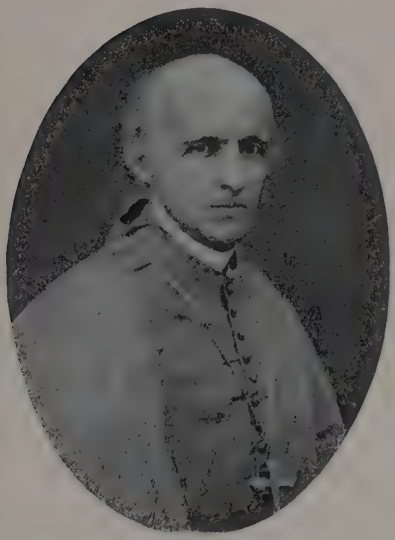
14. After consultation together, action shall be taken as in No. 9.

15. If witnesses are unwilling or unable to assist at the Council, or if their testimony does not yet render the business clear enough, at least two of the Councillors shall be deputed to go to the witnesses, inspect places, or seek light to solve doubts any other possible way, and shall return a relation of their investigation to the Council, so as to leave no way untried to know the truth with moral certitude before coming to the pronouncement of the sentence.

BISHOP McQUAID
At Rome in the Winter
of 1878-1879



LEO XIII
Pope 1878-1903



HENRY EDWARD MANNING, D. D.
Archbishop of Westminster 1865-1892
Cardinal 1875

BISHOP McQUAID
after his return home
in the Spring of 1879

16. All the minutes produced on the occasion of the trial shall be accurately kept in the episcopal court that they may be conveniently exhibited in case of appeal.

17. In case of an appeal from the sentence pronounced in the episcopal court to the archiepiscopal court, the Metropolitan shall proceed the same way in the cognizance and decision of the cause.[8]

When the news of the creation of this ecclesiastical court leaked out through the *New York Sun* into the press dispatches, it was stated there that "the new court reduces the power of the bishop greatly and places the priests on a footing never before known in this country. This concession is held to be a final acknowledgment by Rome that the Church in the United States is no longer the same as in 'mission countries,' but that the United States is fully and unequivocally acknowledged as a Christian nation."[9] The Instruction had reached Bishop McQuaid much earlier; he touches upon it in an interesting letter to Bishop Corrigan, September 23, 1878, some weeks before his departure for Rome:

We begin our retreat this evening. I intend to read the *Instructio* to the priests at the close of the retreat, but I will make no alteration in my present rule on the same point until after my return. I had intended to hold a synod, but postponed it until developments at Rome should show me better what course to follow.

I have written out my answers to the thirty three questions sent to us by their Cardinal Simeoni. In these answers I put some hard nuts for their Eminences to crack. Their object is to provoke additional questions when I go to Rome, and give me an opportunity to open my mind. For example in reply to the question: How are priests and church supported? (to put it briefly,) after stating various ways by which the means are found, I say: "Sufficient attention is not perhaps directed to this fact that the sole dependence of bishops and priests for support is in these voluntary contributions of Catholic people. Hence their rights in many points have to be respected. When for example a pastor becomes justly objectionable to them by acts and conduct for which canon law provides no adequate remedy, the people have only to close their purses, as they sometimes do, and thus compel a redress which their superiors, tied down by the technicalities of canon law, cannot give."

This brings an important truth before their Eminences, if they take the trouble to read my answers. I shall have them put in Italian, as being surer to have the right meaning in all points.

I give them a piece of my mind on the subject of Catholic schools.

* * * *

I do not know of any complaint against my administration now before Rome. A priest suspended over ten years ago, now in the

Buffalo diocese, claims a large sum of money with interest as due him by one of the churches in this diocese. The case belongs to the civil courts, where eventually, if he push his claim, it will have to be decided. The priest, however, proposes to begin with the Cardinal before sending his case to Rome. Behind the poor man stands Early. "Anything to kill Grant." I hope I shall never have anything to trouble me more.[10]

Bishop McQuaid, accompanied by Father Curran of the Newark Diocese, sailed for Europe in the Russia, October 16, 1878. After some travelling, he wrote a letter to Bishop Corrigan from Tours, where he stopped, November 11, while on his way to Lourdes:

On my arrival at Queenstown, we got news of the Cardinal's death. We went on to Liverpool and crossed the channel on Monday to attend his funeral on Tuesday. We left immediately for London, remaining only a night, and reached Paris by Thursday night. All Saints was given to Paris and on Friday, the 2nd of Nov., I started for Belgium, leaving my companions in Paris. I visited Ghent, where I secured Brothers for Excelsior Farm; Bruges, where I made arrangements to place two Sisters of St. Joseph in a Normal School for Religious conducted by the Sisters of St. André. Nov. 5, I was in Antwerp; Nov. 6, in Cologne, Nov. 7, 90 or 100 miles from this city up among the hills [on a visit to Father Laurenzis' family at Lemathe]; Nov. 8, in Cologne again; Nov. 9, in Paris; today, St. Martin's, here. So you see I have been flying around a good deal. Thank God, I feel well and bright.

I met the bishop of Salford going to Dublin and had some interesting talks with him. I intend to get all the information I can on my return, together with all the synods of the English bishops and their method of acting. They save themselves much trouble by appointing their priests as administrators of parishes, having only a few rectories and rectors. We must come to some such arrangement in America.[11]

Bishop Corrigan judged this last bit of information of sufficient importance to communicate it bodily to Archbishop Gibbons of Baltimore, November 26, 1878. He also gave the results of a rapid perusal of the data on a couple of English dioceses: "The Catholic Directory for England (1875) gives 18 Rectories in the Archdiocese of Westminister, 15 Missionary Rectors—most of the Canons, number of Canons 11; number of Priests 283. Beverly has also eleven canons, six Rectories, five Missionary Rectors, and 137 Priests. And so of the other Dioceses in proportion."[12] Two weeks were quite

sufficient for Bishop McQuaid to dispatch all his own diocesan business co-incident with the visit *ad limina* at Rome. However, larger issues made his stay longer than he had at first anticipated. He revealed his plans frankly to Archbishop Gibbons, December 10, 1878:

> My repugnance to a permanent Delegate arises from other reasons chiefly than from the one you name. The political reason is a strong one, but other reasons weigh more with me. I will use all *judicious* efforts with all suitable persons from the Pope down to put a stop to this *Delegate* arrangement.
>
> I am sending a paper to Bp. Corrigan which I will request him to give you the reading of. This paper translated into Italian will be placed in the hands of Card. Simeoni. I find that the authorities here complain that they are forced to obtain their information from all sources except the bishops, because the bishops of the U. S. will not write to them; that hearing all sorts of stories from all sorts of people they know not what to do. Hence the government of the Church in the U. S. is passing into the hands of others practically through the fault of the American bishops. "What is everybody's business is nobody's business" seems to be the leading principle of the American Hierarchy.
>
> Certainly suffragans look to the Archbishops to deal with Rome and keep us right at headquarters and not permit Rome to be led astray by misinformation. They can always call on us for advice or counsel, if they feel the need of it, or consider the question of sufficient importance to bring it before us.
>
> If Cardinal Franchi had lived, he would have withdrawn us from the Propaganda and sent a Nuncio to the U. S. He had heart and mind set on effecting this arrangement. All his feelers were out to bring it about. Against such machinations what is being done at home? Nothing. Bishops depend on their Metropolitans, who leave Rome or rather the Congregations to fix us as they please. It is a mistake to suppose that one's representations would have no influence. The disposition to listen is good. Let the Archbishops make themselves heard, and you may be quite sure that their voice will be heeded.
>
> The late Apostolic Delegate wrote a most damaging report on the U. S. I have not seen it, but I propose to ask for a reading in a day or two. Parts of my letter have reference to its contents on the subject of Church debts.
>
> You may not like some of the suggestions in my letter to the Cardinal, but I see no other way to escape having legislation made for us here without our co-operation than the plan proposed. They are determined to legislate, and it is better that we should know in advance what they propose to do, and thus be able to object in time. Without this straightforward way of doing business, we shall

continue to be the victims of spies, eaves-droppers, meddlers, and every contemptible species of humanity.

I cannot blame the authorities when we decline to help them even for our own sake.

I am through with my own business, but propose to remain in Rome until the beginning of Jan., just to give them an opportunity to discuss my letter with me, if they feel so disposed.

I am more than delighted with the Pope. He is one with whom the bishops can effect reasonable regulations if they care to exert themselves. It will be too late to howl when the screws are on.[13]

Circumstances made it impossible for Bishop McQuaid to do aught in the way of protest against the sending of a Delegate to America. This he confessed three weeks later when he had additional news to communicate to Archbishop Gibbons:

I am quite satisfied that the authorities here are determined to send another Delegate to Canada, who will also be commissioned to take a look at things in the U. S., but without any official character in our country. This time they will send an Italian. They are now hesitating as to which one shall be chosen. The office is sought after by several.

I do not blame the Propaganda for sending these agents inasmuch as no one says a word against their doing so, while some American bishops favor the plan. To me it is most offensive, but I have not spoken against it, because of the unofficial character he is to hold. Nor do I blame the authorities for legislating for us without asking us what we want, since the American bishops do not care to be heard.

Would it have been possible to take a French bishop out of China or India, and place him as a bishop in Texas, which is not a French Settlement, to perpetuate a French regime that ought to have ended before this, if the American bishops had done their duty?

I am trying to impress on Cardinal Simeoni the necessity of fuller, more explicit, and detailed legislation on certain subjects. Since handing in one report or statement, I have prepared another at the request of the Cardinal, changing the plan for bringing about an accord between Rome and the bishops so that the latter shall know definitely just what they are to do in certain cases of practical importance.

If there were two or three American bishops, not afraid to speak here, to place their circumstances fairly before the Propaganda, they would be listened to. I am only one and, therefore, not of much consequence. However, I shall return home satisfied that I did my best to bring about an arrangement more satisfactory than the present one.[14]

Some years later Bishop McQuaid assured Bishop Gilmour of Cleveland: "I maintained in Rome, and I maintain now that our difficulties result from the *laissez aller* of the American bishops. No body cares. The Bishops left everything to the Metropolitans, and the Metropolitans got along the easiest way possible. When we failed to legislate for ourselves, Rome undertook to do so for us. Who can blame the authorities there? They did the best they could. Should we wonder that they blundered?"[15] Nevertheless, Bishop McQuaid saved the situation, as he wrote this same Bishop on another occasion: "I happened to be in Rome in 1878, paying a canonical visit *ad limina*, and then and there, by bold officiousness, staved off a great calamity for the American Church."[16] He had kept Bishop Corrigan well informed of the matter at the time, who wrote Archbishop Gibbons, February 1, 1879:

> The Bishop of Rochester has been fighting our battle bravely before the S. Congregation. At Cardinal Simeoni's request, he has written one or two memorials, (the third being his own). The most important came to hand last night, and is now in the hands of my Metropolitan.
>
> The chief issue is this, "*Must* a Prelate consult the Commission before making any transfer of a Pastor from Church to Church, against the will of the latter?
>
> In Rome they had already decided *in the affirmative*, but postponed sending the answer. Meanwhile, Bp. McQuaid was shown the letter all ready to be mailed, and begged a reconsideration of the question, or at least that the Bishops here be written to before a final decision be made.
>
> They asked him to remain in Rome until Feb. 1st., promising to have his Memorial printed, distributed to the Cardinals, and acted upon by that date. He sails from Liverpool, Feb. 22nd.
>
> He has protested very strongly against the sweeping accusations made against us,—especially that our "arbitrary conduct makes Priests bewail their ordination,—anxious to escape the country as from a prison, and makes Parents refuse to permit their sons to study for the Priesthood." He quotes the very words used by a certain *avocato Pacetti* against one of our Bishops, amounting as far as I remember substantially to what is said above.[17]

Bishop McQuaid's "worst fears were excited." He was afraid that the new legislation "would inflict very great injury on the Church in this country,"[18] and so he did not spare himself to avert the calamity. Fortunately he was able to

intervene sufficiently before sickness disabled him from taking part in the conflict. As soon as possible, he gave an account of himself to Bishop Corrigan, whom he wrote, February 27, 1879:

> From my chair, in which for the third day, after 24 days of the worst form of typhus fever known to the Roman doctors, during which I stood by the open gate of death without passing through, I try to get through with this scrawl.
>
> * * * *
>
> The battle was going on bravely when I was stricken down. I had got the English bishops fairly alarmed, for they saw that the law would apply to them also as well as to us. Their action has staid off all action for the moment. Exactly how the question stands, I can't say, as I have seen no one cognizant of the affair since my illness. Cardinal Manning and Dr. Clifford are both in town and much interested, but I have not been able to see either. In a few days I shall cease to be a leper and will see people.
>
> I had intended to see every French bishop in Rome and point out the dangerous volcano over which they were slumbering, but the hand of God came down on me and upset all my plans.
>
> On Monday, Jan. 27, I received a telegram from Naples that the Doctor, who was accompanying my friend, Mr. McDonnell of Rochester, was very ill and asking me to come on to Naples. I took the night train, reaching Naples early Tuesday morning to find the Doctor in a dying condition, and Wednesday evening he died. I settled all his affairs, had his body embalmed, and early Saturday morning started for Rome. From the railway station I drove to the College, took my bed, and entered on a struggle for life, which every one but my consulting physician and myself was sure to end in death. What I suffered, fortunately I myself am forgetting. The battle lasted for twenty-four days. The last ten days the whole force of the disease concentrated in my throat and mouth. Ulcers and ulcerations appeared as fast as burnt out. As one of the Doctors said, my mouth for days was *bocca d'inferno.* No one in Rome except the one physician believed it possible that a man of 55 years could possibly live through such a sickness. Even he exclaimed *C'est la Providence.* The other said, *E cosa miraculosa.* Taking it for granted that I was a dead man, some vile schemes were being formed against poor McDonnell. He was the golden goose to be plucked. I soon spoiled their game, but not a day too soon.
>
> I expect to leave Rome in about ten days, and after staying a few days at Nice, jog along slowly to Paris and London, hoping to reach home in time for Holy Week. Of course, I will see you and the Cardinal. Present my kindest regards to the Cardinal. I don't think he or you quite seized the drift of my memorials to the Sacred Congregation. My great idea was to get them not to legislate for us without hearing from us. I have learned one thing

in Rome, that it is useless to batter your head against a stone wall. So I was very deferential apparently, but stuck firmly to my main point. All my aim was to keep them from legislating without consulting us. Please excuse the pencil.[19]

Bishop Corrigan was by no means entirely sure of the results from Bishop McQuaid's intervention. This is evident from his letter to Bishop Gilmour, March 10, 1879, which shows considerable alarm in regard to the character of the intended legislation and its effects upon the welfare of the American Catholic Church:

Our friend of Rochester has been fighting a hard battle in Rome. But for him, (and even now *possibly* in spite of him), the original meaning of the Propaganda would be carried out, tying the hands of Bishops and ordering them in all cases to recur to the Commission before transferring any Pastor against his will from one Church to another. I do not speak of suspension or deprivation, but of simple removal from Parish to Parish. Irremovability with a vengeance! The Decree to this effect was printed even, but happily not promulgated when Rochester interfered. This is *entre nous.*

Bishop McQuaid's convalescence will be long and painful. I hope they will not force us to consider every Priest now in charge of a mission as a missionary Rector,—no matter how short a time has elapsed since his ordination. Would not this be worse than Canon Law?[20]

The next letter Bishop Corrigan received from Bishop McQuaid relieved him of all his fears. It was written from Paris, March 29, 1879, and gave additional dramatic details of Bishop McQuaid's intervention:

My strength is coming back gradually, and I have reason to hope that by the time I reach America I shall be myself again. I had a narrow escape.

However, I was compensated for all my sufferings by the success of the great question before the Sacred Congregation.

Until I got Cardinal Manning and the English Bishops aroused all seemed lost. Only two or three Cardinals of a dozen appeared inclined to take my view of the subject. Bilio was dead against us, and he is a power in the Congregation. My whole cry was for delay until the American bishops could be heard from. On my knees I begged the Holy Father not to permit this question to be settled without consulting the bishops of the U. S.

He enquired about the matter when I took leave of him, and showed great satisfaction when told that all was according to our wish.

I left Rome on the 11th of March. The day before the Congregation met and appointed Card. Simeoni and two others to draw up the letter of explanation of the "Instructio."

Card. Simeoni told me the substance, which, no doubt, Father Doane has given you, and probably before receiving this you will have the letter itself. After all, my calling attention to the decree of Balt., on the transferring of priests with the significant question, Was this decree to be abrogated without consulting the American bishops?, was not without effect.

Instead of my persistence and strong language doing me harm at the Propaganda, they, the Cardinal and Agnozzi, took rather a liking to me. They had never heard an American bishop talk to them just as I did.

Does it not seem providential that I happened to be in Rome this Winter? More than once I felt compensated for all my sufferings by so grand a victory for the American Church. Of course, it was Cardinal Manning's powerful influence which made the Cardinals revise their first decision and arrive at the present conclusion.

No doubt, I shall be attacked by a certain class in America. You know how little I care for such attacks, and how readily, if need be, I defend myself.

I stood the journey well from Rome to Paris. If not hindered by others, I propose to leave Liverpool, April 5, in the Gallia.[21]

A few years later Bishop McQuaid wrote Bishop Gilmour: "Indeed, when I asked the Propaganda if certain Decrees of that Council had been abrogated without consulting the American Bishops, the question staggered them."[22] As soon as Bishop Corrigan had received the letter from Paris, he hastened to communicate the contents to Bishop Gilmour, April 7, 1879, expressing at the same time his gratification "to be able to say your wishes and views with regard to the 'Instructio' will happily be most probably realized . . ., the old decree restricting episcopal powers and practically entrusting the care of the Diocese to 'the coroners' having been reversed."[23] He was unable to give the contents of the official interpretation of the *Instructio* that was soon to appear, as Father Doane had not informed him of the matter, which Bishop McQuaid had expected him to do. Neverthless, he had some additional information to give from a previous letter of Father Doane who had been informed by Cardinal Simeoni "that probably a *few* rectories would be made as in England, and a limited number of Pastors or Rectors declared inamoveable."[24]

Bishop McQuaid's sickness at Rome first came to be known at large through a cable message to Arthur B. Johnson of Utica from Mrs. Daniel Mitchell, also of Utica, but then in Rome. The *Utica Observer* rightly remarked: "The intelligence that the popular and able Bishop is very ill will spread painful apprehension not only throughout his diocese, but all over the State."[25] As Father O'Hare, the Rector of the Cathedral, later assured Bishop McQuaid, "every congregation and every household of your diocese earnestly besought the throne of mercy to spare you to us; and every priest, as he ascended the altar to offer the holy sacrifice, earnestly prayed that you might be enabled to return to the work so nobly begun, but not yet entirely accomplished."[26] The Bishop himself relieved the anxiety of his clergy and people by cabling to Father O'Hare, February 20, 1879: "I am now well, thank God."[27] These circumstances hightened the enthusiasm manifested at the reception to Bishop McQuaid on his return to Rochester, Sunday, April 27, 1879. A special train, with representative men, left the Erie Station for Livonia early Sunday afternoon and returned in due time with the Bishop of Rochester. Thousands of men, women, and children witnessed the progress of Bishop McQuaid in a carriage drawn by four white horses, preceded by all the Catholic Men's Societies in full regalia, to the Bishop's House. Here he put on his episcopal robes to make his solemn entry into the Cathedral, decorated inside with inscriptions in white letters on a red cloth background: VIVAT BERNARDUS, JURIS DEFENSORI, PATRI ORPHANORUM. Father O'Hare's address, recalling to mind Bishop McQuaid's official report to Rome, his sickness in the discharge of this duty, and the meaning of this great demonstration of respect, love, and sympathy, concluded with the prayer: "May God, who has conducted you back to us, give you strength and means to carry out the promptings of a heart devoted to His service, and may you long live to rule, guide, and direct us in the future with that same paternal solicitude which has endeared you to our people and your clergy." Bishop McQuaid in reply expressed his gratification at what had been done so grandly by his children in going even to the southern confines of the diocese, taking him by the hand, and bringing him in magnifi-

cent triumph to the Cathedral, not as an individual, but as a Bishop, Father of the Church of Rochester. He told them of the paternal kindness, the mind to labor and toil, the intellect to govern God's Church in these trying times, evidenced in the interviews at the Vatican, by the Holy Father. He confessed that he had acquired useful knowledge in his dealings with those high in authority, with the Propaganda, and he trusted that his "labors there, not alone for the good of the small vineyard, but for the welfare of God's Church in America, were not without avail." He referred to the honor and marks of attention shown him in his illness, the public prayers offered for him, things that would have made his people feel pride even in the midst of sorrow, if they had known them. Yet he declared: "Much as I valued the marks of affection in Rome, dearer to my heart by far are these evidences of the love of my children. I say God be with you, and may the memory of the day be to you, as it is to me, a sign of future works well done, and may God in his goodness bring mercies to you all."[28] Bishop McQuaid had, in fact, brought special graces for his diocese from Rome; 1st., a benediction with a plenary indulgence for all the schools of the diocese, for teachers, pupils, and patrons, to be given at the commencement of the ensuing school year, and to be renewed each year for five consecutive years thereafter; 2nd., the papal blessing for the entire clergy and people of the Diocese. This last was granted in a letter to Bishop McQuaid from Pope Leo XIII, Dec. 7, 1878, which was read after a solemn pontifical Mass of Thanksgiving in the Cathedral on Thursday, May 1, 1879, as it attested the Pope's appreciation of Catholic life at Rochester. The Holy Father addressed the Bishop as follows:

> We have received with grateful mind those very noble testimonies of congratulation and love which, in your own name and that of the clergy and faithful over whom you preside, you have shown to us on Our election to this Supreme Chair.
>
> For We have seen that these proceed from that respect and obedience with which in mind and heart you faithfully adhere to this Apostolic See; and that from the same source have also flowed those pious offerings, which you have taken care should be presented to us for the freedom and needs of Our Apostolic office.
>
> Moreover, Venerable Brother, these kindly acts have seemed even more pleasing from those things which you have related to Us; from which We have learned with pleasure the zeal of your clergy,

the fervor of your faithful people, and the common desire of all in caring for those things which pertain to divine worship and to the proper education of youth.

For these things, from Our heart, We thank God, the Author of all good, and, at the same time, We freely commend and praise you, and likewise your clergy and faithful people, being satisfied that this will be an inducement to you to persevere constantly in what you are doing for the glory of God and His Church. Meanwhile, for your dutiful acts towards Ourselves We have a most grateful mind, and beg from Divine Clemency that He may vouchsafe to pour plentifully the abundance of His gifts upon you all.

May the Apostolic Benediction, which now, with a very loving heart, We grant to you, Venerable Brother, and to all your clergy, and all the faithful entrusted to your care, be a token of heavenly kindness and a pledge of Our sincere love.

After the services in the Cathedral, the diocesan priests were the guests of the Bishop in his episcopal residence. Here the Vicar General, Father McManus, in again welcoming the Bishop back home, expressed the sympathy the clergy had felt in his affliction, told of the gladness over the fact that the "Bishop's worth showed beyond the sphere of his own territorial horizon," and finally tendered him a substantial purse as the token of the sincere affection of a people devoted to their Bishop. The response of Bishop McQuaid was of the utmost value for an understanding of the future development of the American Church, and must have been read with great interest in the pages of the *Catholic Times* of Waterloo and in the *New York Freeman's Journal*, where it was published in full. Bishop McQuaid spoke to the priests as follows:

The welcome home which I received on last Sunday afternoon from the laity of this city and diocese of Rochester was so warm, so earnest, so magnificent in its display and manner, that I could not but be moved to the very depths of my soul. It brought out so much kindly feeling, bound so much stronger the bond of unity and sympathy always joining together bishops, priests and people, was such a manifestation of Catholic faith and fellowship, that any bishop, the most exalted and deserving even, might well feel proud of an ovation springing from the love and esteem of his priests and people.

Much as I valued the honor bestowed upon me,—much as my heart was moved by everything that I saw and heard on that afternoon, the gathering today in the Cathedral of all the priests of the diocese, and the assembling of the crowds of men who had left

their business and occupations, to give thanks to God for their Bishop's safe return, gratified and consoled my heart.

We of the sanctuary come together as brothers, working in the same cause and for the same end. What touches the honor of the Bishop, touches the honor of his priests. They cannot be separated. In honoring their Bishop, priests honor themselves. A Bishop is almost powerless in his diocese without the esteem, the good will and cheerful co-operation of his priests. To possess these is a laudable ambition on the part of a Bishop. No matter what may be thought or said of him elsewhere, he can take comfort and joy in working among those who know his daily life, witness his labors in God's and the Church's cause, listen to his words of counsel and encouragement, and who can bear testimony to his honorable and just dealing with priests and people.

Therefore, Very Rev. and dear Brothers, the words just spoken in his own name and in yours by the Vicar General, bring satisfaction and gladness to my heart. They tell me that you are with me, heart and soul, in our common work; that you welcome back your Bishop and rejoice with the laity in this common joy. These words of praise and sympathy show me that you can be lenient when there is at least good will, and that you place a high value on the simple performance of a bishop's bounden duty.

I thank you most sincerely for all your kind words, and for every proof of unity and brotherly affection. I owe more than thanks to the Vicar General for his successful administration of the diocese during my prolonged absence. I had no uneasiness or fear lest difficulties should arise. Priests worthy of the name, blessed with a sacerdotal spirit, conscious of the sacredness of their office and character, feeling the responsibility of their high position, give no trouble to bishop or administrator. Good priests are the jewels in a bishop's mitre and the joy of his soul. Wheresoever I journeyed, and with whomsoever I conversed, I had always a good word to say for my diocese and my priests, for I know them to be deserving of all praise.

But you do not come to me empty-handed. You bring large and generous offerings from yourselves and parishioners. The thirty-two hundred dollars which you present today, large as is the sum for so small a diocese as this of Rochester, should of right be added to the thirty-five hundred dollars presented to me in October last, on the eve of my departure for Rome, by the laity chiefly of the Cathedral parish, and by some priests, with few exceptions, connected with the city churches. Six thousand seven hundred dollars as an offering of kindness to a bishop from a diocese of sixty priests tell of their generosity, and of the pleasant relations existing between bishop and priests.

My personal wants are few. This money will not be needed for them. It is, however, a timely and acceptable gift with which to pay off liabilities incurred in behalf of good works. I am most

thankful and grateful to you, Rev. Brothers, and to your generous parishioners for this welcome assistance.

As we are all assembled here, the opportunity seems a favorable one for some statements of facts likely to be of interest to you in the future.

You may have heard my name mentioned in connection with the "Instructio," sent last Summer by the Sacred Congregation of the Propaganda to the bishops of the United States. It pleased some to represent me as engaged in Rome in effecting a modification of this "Instructio." This document will, in all probability, remain just as it was drawn up, while, without doubt, answers to those applying for information will be given in reference to the extent and scope of the "Instructio," making clear and precise what in certain points appeared to some, vague and admitting of diversity of opinion. It is quite sure that bishops and priests will accept these explanations with a good grace, and, little by little, the wisdom of the Holy See guiding us, we shall be able to establish in the country a canon law suited to its needs and circumstances. If it must be imputed to me as a sin that I spoke and wrote, when required, on all subjects bearing on the welfare of the Church in these United States, with the freedom, fulness and plainness of speech becoming an American bishop, then I acknowledge the sin.

The true interests of priests working in the American missions, their honor and standing, necessarily concern all right minded ecclesiastics. To place our older established and well settled missions on a footing of equality with the parishes of canon law in the European countries, is to work in harmony with the spirit and wishes of the Catholic Church. To secure, as a right and not as a charity, ample provision for the maintenance of worthy priests, no longer able to toil in the ministry through age or sickness, is simply answering the demands of justice as required by the same authority which accepts the vows and life service of the young priest at his ordination.

Towards securing both rights for our young and growing Church, my humble and feeble efforts were directed during my stay in Rome. It seemed to me most desirable that Rectories should be speedily formed and established in the United States wherever the requisite conditions could be found. To designate as a Rectory every nascent mission and every struggling congregation would be to bring contempt on the names of Rectory and Rector. But when the members of a mission had erected a suitable and substantial church, a commodious presbytery, and a school house or houses sufficient for the accommodation of all its Catholic children, they might well be entitled to have their mission classified as a Rectory; and the priest of tried experience, with a record for capacity, prudence and zeal, placed in charge of such a Rectory, might well be honored with the title of Rector. Under these conditions the title would have honorable significance; rectors would owe to their younger brethren the

example of increased devotion to ministerial duties and responsibilities, the upholding of the dignity of their office, the obligation of sustaining the bishop in all diocesan works for the good of religion. The praiseworthy ambition on the part of missions to grow into the dignity of rectories by erecting the required buildings and paying for them would be aroused. What an absurdity to call a mission a rectory that has no school for its children? A still greater absurdity would it be to name as a rectory a mission before whose property the sheriff's red flag may one day be hung out.

A strong and well established mission whose buildings, church, school and priest's house, are up and paid for, whose ordinary revenues pay its ordinary expenditures, may justly and with propriety be raised to the dignity of a Rectory. A priest whose years of honorable and tried service prove him to be deserving of all trust and confidence may without fear be made a Rector with all the privileges and rights belonging to the rank. It will be time enough for marking out and defining the obligations, and responsibilities of Rectors when they shall have been appointed. All dignities and honors bring duties and responsibilities.

Another question enlisted my sympathies yet more than the founding of Rectories and Rectors. It was that of making adequate provision for the honorable care of good priests in their old age, or when unable to labor in the active ministry through sickness. A member of a religious order who has made a solemn vow of poverty is provided with lodging, food and clothing, and all his needful expenses are paid. Not many secular priests in the country missions can hope for much more than what is secured to members of religious communities. But while the Regular, who has made a vow of poverty, has his future guaranteed by his Order, the Secular priest, in many dioceses of the United States, has reason to fear lest his old age should know years of charity or misery, because the diocese seems to think that he must not grow old, or fall sick. I need not bring forward arguments to prove that a change for the better is much needed. You all agree with me on this point.

I have made these remarks to you of my own diocese, because others out of the diocese have chosen to misrepresent and magnify the importance of the work in which I was engaged while in Rome. After paying the usual visits and handing in the reports of the diocese my task was over and I was free to return. But other questions affecting religious interests throughout the country came up for discussion, and information and suggestions were asked of me. I am pleased to acknowledge the desire shown by the ecclesiastical authorities to obtain full and correct information on all subjects connected with the American Church. They listen readily and take note of all that is said. To say that they are often bewildered by strange and conflicting statements is to put the case very mildly.

As our small diocese grows in strength, and each mission is enabled to erect its buildings and pay for them, I hope to see the

establishment of Rectories of character to be respected, and not to be made a laughing stock of, for I know that I shall have priests to be promoted to them, whose past record will have given security for the future, and whose exalted idea of their priestly office will bring respect and esteem to the title of Rector.

I again thank you most sincerely for your kindly words and earnest sympathy, and trust that we shall all continue to work together in the same spirit of zeal and unity as in the past.[29]

Bishop McQuaid awaited with considerable impatience the communication from Propaganda on the interpretation of the "Instructio." He evidently still feared lest adverse action might be taken at Rome despite his intervention. For, he wrote Bishop Corrigan as late as June 13, 1879: "If the 'Instructio' sets aside the Balt. Council and the Bishops of the U. S. take no action, then they deserve all the abuse and contempt they receive in Rome."[30] However, when the *Responsa ad dubia* did arrive, they gave him all the satisfaction he had desired, and so he wrote to the same Bishop December 2, 1879: "The 'Instructio' as explained is not the great thing that some disaffected priests looked for. Fixity of tenure and immunity of discipline were what they wanted. Bishops and people were to have no rights as against their claims."[31] He was not able to communicate the document itself to Bishop Gilmour until he wrote him, October 25, 1880:

I delayed answering your letter as I wished to send you a printed copy of the letter of the Sacred Congregation in reply to questions addressed to it by the American bishops in relation to doubts touching the meaning of parts of the "Instructio" of July 20, 1878.

The inclosed is a correct copy of the original in my possession. I have sent the same to all the priests in my diocese.

Now, dear Bishop, if we are men enough to do our duty, and thus save ourselves a world of trouble, we can easily bring about such legislation and such traditions among our clergy that the future of episcopal administration in the U. S. will be to the advantage of religion, the edification of the faithful, the dignity and sustainment of good priests and the upholding of needful authority. Rome will take its cue from the bishops, if the bishops will only condescend to enlighten and guide the authorities in Rome in charge of church affairs in America. I have great confidence in the two coadjutors of Cincinnati and New York. They may need a little urging and backing up.

All we have to do now is to hold Rome to the "Instructio", to this letter of explanation, and to the Second Plenary Council of Balti-

more. We shall have to make a little more definite what may be considered *justa et rationabilis causa* for a transference. If, for example, this transference must necessarily be to a better mission, then a priest desirous of promotion need only render himself obnoxious to his present parishioners to effect the desired end.

The above sufficiently gives you my thought. I will try to get out to Cleveland some time this winter when we can talk over matters.[32]

The Roman document made it perfectly clear that the "Instructio" of July 20, 1878, in regard to cases in which an ecclesiastical penalty or censure was to be inflicted or grave disciplinary coercion was to obtain, in no way altered or annulled the decrees of the Second Plenary Council of Baltimore, No. 125 on the Nature of Missions and Nos. 77, 108 on the Juridical Effects of the Removal of Missionaries from Office. Bishops, however, were instructed not to remove priests from one mission to another against their will without a grave and reasonable cause. In case of a definitive removal of a Rector from office because of a penalty to be inflicted for an offense, the Bishop was only to act after hearing his Council. After directions on the election of the members to the Council, both in a Synod and outside one, the Roman document declares the vote of the Council consulted by the Bishop to be only consultive; the final decision was reserved to the Bishop. Nevertheless, the minutes of the investigation and the opinion of the Council are always to be inserted in the process. The Bishops were not deprived by the Instruction of the power to proceed to suspension *ex informata conscientia,* provided they judged in the Lord that most grave and canonical causes concurred, or that provision was to be made for a remedy for the salvation of souls without hearing the Council because of grave and urgent necessity. Finally, each Rector was free to bring with him before the Council another priest simply to assist or formally to defend his cause, but this priest had to be approved by the Bishop.[33]

Chapter XXII

THE EGLER CASE

Misgivings were still entertained even after the arrival of the *Responsa ad dubia* in the country. When Bishop Gilmour wrote his thanks for the copy of the Interpretation of the "Instructio," he took occasion to remark: "I must confess I have some fear of the present temper of Rome towards the bishops; her recent action toward Portland & Halifax is ominous, though I think there was want of judicial watchfulness to defend their cases. I have a nice case which I will certainly not let easily go against me, as with it ends episcopal authority here. As you wisely say, if the leading Bishops would speak, all would be heard, but I fear many are content if they can bridge over their own difficulties, and so, as you say, we are beaten for the want of unity."[1] The concluding thought of this passage had also found a place in a letter to Bishop Corrigan, June 4, 1880, in which Bishop McQuaid declared his intention to test the working of the new Roman communication:

> It is quite useless to try to do anything in the way of regulating matters with the Holy See in relation to ecclesiastical affairs in the U. S. We are drifting into a mode of discipline that for our successors will become intolerable. There is nothing in reason that Rome would not grant the American Bishops. But as they ask for nothing and make no representations to Rome about their affairs, the legislation which comes to us is shaped by the malcontents who flock to the Eternal City with their budget of grievances.
>
> I have a very nice case at hand at present. I am working it by the "Instructio" as explained by the letter of the Sacred Congregation. An ex-Religious brought one mission to the verge of bankruptcy, was doing the same for the second, false accounts, grossly incorrect "Notitiae," riding out with his housekeeper, abusing the bishop before the laity, disregarding my express rule with regard to Catholic schools, telling people that they could send their children to any school they pleased, etc., etc.
>
> I might have fallen back on the fact that, strictly speaking, he did not belong to the diocese. I waive this and begin the fight on the ground that I have the right to remove him *graves ob causas*,

as the 125th decree of Balt. says. To do this, the *Judices Causarum* are needed, only I must have *gravis et rationabilis causa.* He has refused to leave his mission and demands a trial. The Diocesan Council are investigating his case at my request to get together the facts that the *gravis causa* exists.

(June 8.) I resume where I left off on Friday last.

When the malcontent in question found that, after repeated complaints from his second mission, I was about to order an investigation, he thought to stop me by saying that he was sick and wanted the allowance of the Clergy-Fund. In other words, he was to go off where he pleased, doing as he pleased, on his $600 a year from this fund. Wishing to hinder this nefarious purpose, I ordered him to the Hospital at my expense until he was restored to health. He indignantly refused to go to the Hospital, and some of his friends began a regular plot to sustain him and embarrass me. At the head of this conspiracy is Father Lambert. Father Lambert maintains that the "Instructio" means that the 125th Decree of Baltimore has no longer binding force; that no removal from one mission to another can take place against the will of the incumbent; in a word, he ignores the letter of explanation, although this letter was read to the clergy. He is the one for whom my circular on the Clergy Fund Society was chiefly intended. About six weeks ago he had an article in the *Times*, his paper, fiercely denunciatory of the V. G., and of the Rector of the Cathedral, whom he styled "time servers," etc. I did not extinguish the paper, because he expected me to do him this service. The paper is running to the end of its tether, and he would like me to vouchsafe him the glory of a martyr-victim of episcopal tyranny.

If they give me the opportunity, I propose to make this case a test one as to the meaning of the "Instructio."

An appeal to the civil courts is threatened. I am not frightened. As soon as they take this step, the Corporation of the Dansville Church will sue its former pastor to recover moneys due to it and perhaps for more grievous offences.

Little by little I am getting the history of the past few months of the persevering attempts of Father Lambert and a few others to undermine my authority and raise up a faction of obstructionists. My great crime has been the appointing of young priests to important parishes, ignoring the claims of some of the old ones. I took pains to say why these appointments had been made. Thus, in one case, I wanted a priest whose heart would be in his school and who would look after it; in another, as there are two churches in the town, it was necessary to station priests there who would keep Christian charity between them, etc.

The aggravation of the offence has been the great success of the new appointments. These priests believe in Catholic schools, pay debts, and stay at home.

The plotters did their best to whip the young priests into taking sides against the bishop; they must take sides, go on record—so the phrase ran—in this battle of the clergy to uphold their rights, privileges, etc. Already the enemy is weakening, and the forces are disbanding. Explanations are offered; this was not meant, and that was not meant, etc.

You have seen the circular of the book, written by a Propagandist and published by O'Brien of Philadelphia, $1 a copy, not intended for laymen. My name heads the list, the Archbp. of Baltimore ends it. You are not honored with a place. You are taken care of by the *Herald* and Canon O'Brien. Alas, that this speculation will pay because there will be priests enough to pay the dollar through sinful curiosity! I, of course, have to bear the odium of causing the explanation of the "Instructio" which completely upsets their high hopes of independence of bishops.

* * * * *

It does not do to be afraid of the Roman authorities, at the same time that respect due to them should be shown. In this Egler case I propose to make the biggest kind of a fight, strictly within the bounds of ecclesiastical law. I am badly off here, as I have no one to consult. So few understand the merits of the question, or have attempted to comprehend the kind of canon law applicable to us as laid down by the Baltimore Council, enforced by the "Instructio", and explained by the letter of the Sacred Congregation.

The subject is very interesting, and I might go on for a week. We can talk it over better when we meet.

* * * * *

I shall have time to close before going to give Confirmation in a German Mission this Sunday afternoon, July 13th, the ninth day since I began the letter.

Father De Regge told me that a rumor reached you of sickness on my part. I have been remarkably well since I saw you last, suffering only *mentally*.

I sometimes wonder how it is that I draw the fire of the enemy *so readily*. Shall I change tactics, and let the Church go to the dogs? I cannot do this and maintain my own selfrespect, even though I place my conscience in the keeping of Roman authorities.[2]

Bishop McQuaid soon had reason to think that Rome would support him in his action, as various cases were decided there in favor of other bishops, especially in favor of Bishop Gilmour of Cleveland. The latter kept him well informed of the matter: "My case is simply this. For reasons to me imperative, I removed Gibbons from the city to a good parish in the country. He objected, demanded a trial before the Commission, then appealed first to Bishop Elder, who said: I am not Archbishop, then he appealed to Rome. Now, my view

of the case is: Under the Council of Baltimore and the Instruction, I am free to remove for a good cause and am only bound to give trial when I propose to suspend. On this I acted and will so act and insist and will resist any other action by Rome or anybody else. Am I right?"[3] Bishop McQuaid was at once alive to the issue involved. April 2, 1881, he wrote Bishop Gilmour: "I feel as interested in your case as yourself, for it concerns a vital interpretation in practice of the *Responsa ad dubia.* You can, of course, do nothing until Rome writes."[4] After his own experience, Bishop McQuaid felt himself competent to advise the necessity of a careful handling of the case from the very beginning: "It is better to have a case well started. These Roman authorities do not like to go back of their work. It is equally good not to be in a hurry. Like myself, you are apt to feel hurt at the consequence they give these cases and their promoters, and the slight they put on the bishops who seem to be treated like criminals. Thus, wounded in our feelings and honor, we are quick to resent the injustice and the indignity. I learned one thing in Rome. It is no use battering one's head. It is better to get around the stone wall. In Rome, every one who knows what he is about looks for a way to get around the wall. Smother your indignation at first and use the forms of etiquette and keep to the letter of the law."[5] As soon as Bishop Gilmour received a favorable decision from the Roman Authorities, he hastened to communicate the good tidings to Bishop McQuaid, April 24, 1881:

> You will, no doubt, be glad to know that Card. Simeoni informed me by letters of yesterday that, though Rev. Gibbons has repeatedly asked to have his case referred to the S. C., "he has ever been informed that I was *liberum ipsum transferre,*" & then appeals to my generosity in his behalf. Mgr. of Vincennes had a similar case also decided in the same way. This is a clear interpretation of the *Instructio* & places us where we all know what are & what are not our rights. I chose my case & placed it clearly on its merits: Had I for good cause a right to remove a priest from one place to another against his will. The case I was sure of; the right to trial I denied. Suspension is quite another thing. It is well that Rome has been taught a lesson, & young legislators, such as those who drafted this without a day's experience on the American missions, learn also that legislation needs careful thought & much experience in a country as mad on the word liberty as ours. Mgr. of Pittsburg

has rather a nice case; try to get it in full. Should the civil courts sustain the priest, we will be in a nice pickle. Two of my men go down to testify in behalf of the Bishop; both are very decided in their views as regards the rights of the Bishop & will so testify. We have a nice time of it, but here I think we will have peace now, & there will be an end of our clique that now for fourteen years has cursed the diocese, driven out Bp. Rappe, nearly drove Rev. Hamien mad, & has now got its quietus, if I am not much mistaken. Let us only insist that Rome shall not break her own precedents & strictly abide by the law, & be kind as well as firm, & I think we are all right again & the madness of two years ago is at an end.[6]

Bishop McQuaid warmly congratulated Bishop Gilmour on his success in the Gibbon's case: "No other result could follow if it were true that certain decrees of the Baltimore Council were not abrogated by the *Instructio* of July 20, 1878. Little by little we shall get things in good working order." Bishop McQuaid had not heard of Bishop Tuigg's case before the civil courts. Such matters, however, were of vital interest to him, and so he immediately wrote to the Bishop of Pittsburg for the newspapers, containing an account of it, realizing that "it is important to keep well posted. All American judges want to know is our own laws. As a rule, they will decide according to our own legislation. Hence the importance of having all laws clear and plain. What a peck of trouble from a little neglect!" In this same letter, Bishop McQuaid informed Bishop Gilmour: "My case is now before the Metropolitan court. The priest first tried to engage De Angelis. Refused there, he took to Card. Simeoni. The Cardinal sends him to the Metropolitan. Twice I removed the priest, *graves ob causas*. I do not propose to allow the Metropolitan court to investigate these. It must confine itself to the suspension and the facts on which I grounded my right to suspend. When the case came before the *Judices Causarum*, I limited them to the one fact of refusal to give peaceable possession of the parsonage and church books to his successor. Fortunately, I was patient and orderly in all my proceedings. The *Judices* had a clear case, admitting of no doubt, and decided accordingly."[7] Nevertheless, the suspended priest did his best to turn the Metropolitan court into his favor, whereupon Bishop McQuaid observed, April 24, 1881, to Archbishop Corrigan, who meanwhile had been transferred to New York as coadjutor:

I would not attach much importance to the case, but for the organized conspiracy formed in the diocese under the leadership of Father Lambert. As these gentlemen boast they intend to make a "test" case, I also purpose that it shall be a "test" case.

If a bishop is to pass over the government of his diocese to the strongest clique of priests to be found in it, it may become advisable to transfer to them the name of bishop as well as the power. I have suffered enough during the past year from the base ingratitude of the very men whom I have raised up and educated, under the machinations of Lambert, to drive a man crazy. But by the time I am through with this case, there will be a clearing of the atmosphere.

Just while these troubles are going on, the Bishop of Buffalo accepts the dedication of a book from the ringleader after I had declined to allow my name to be used. Of course, the condescension of Buffalo is a great victory and boast for the discontented of this diocese.[8]

Bishop McQuaid had not concealed his indignation at this patronage of a mischief-maker, as he wrote Bishop Gilmour, April 2, 1881: "It is this everlasting divergence of views and actions among ourselves which weakens us and strengthens the others. A priest in one diocese does his best to sow mischief and rebellion in his own diocese and is then patted on the back by the bishop of another diocese. If Bishops are not loyal one to another, it is expecting too much of priests to be loyal to bishops."[9] Under the circumstances, it gave great satisfaction to Bishop McQuaid to find that his Metropolitan had a clear understanding of the procedure to be followed in the case appealed to his court. He, therefore, wrote Archbishop Corrigan, April 30, 1881:

What the Cardinal proposes is the only course he can follow. I would not permit my administration to come under the judgment of five priests in New York. This would be presbyterianism with a vengeance.

It is the right of the Metropolitan Court to revise the action of the Diocesan Court. Nothing goes before the latter except the facts upon which the bishop bases his action in suspending a priest and declaring his *rejectio aut finalis remotio*.

We must all keep to the law. When these turbulent ones find out that the law is for the protection of religion and of the people as well as for the priest, we shall have peace.[10]

Although any fears Bishop McQuaid might have had were quieted by Cardinal McCloskey's declaration on the

limited powers of the Metropolitan Court, a letter from Bishop Corrigan, May 23, 1881, proved most surprising, as is evident from the reply, May 27, 1881:

I was taken quite sick at Geneva night before last and had to postpone yesterday's visitation at Seneca Falls. I am much better today and hope to resume work on Sunday with renewed strength.

I read your letter with amazement. I will not consent to have the Metropolitan Court exceed its legitimate and recognized duty as laid down in the *Instructio*. It sole duty is to pass on the truth or falsehood of the facts as presented to the diocesan court. What the N. Y. Metropolitan Court now proposes to do, is to take the place of the Bishop as judge and administrator of his diocese. This is a species of presbyterianism to which I am not willing to submit.

My right to remove Egler from Dansville cannot be questioned any more than my right to remove him from the Ridge Mission. For both removals I had ample and urgent cause for which I will answer at the proper tribunal which, however, is not the Metropolitan Court. It is the more obligatory on me to stand clearly to my rights in this cause, because there are, in the Metropolitan Court, some members personally inimical to me who will warp the minds of other members, and because very important points of discipline are at stake.

I do not see that I have any reason for sending a priest to New York to represent me. My statement and the documents and letters in the case cover the ground sufficiently. The facts are that Egler refused to give possession of the house and church books for about six weeks, when his ecclesiastical rights would have remained intact, had he yielded all at once, but under protest. Now, if the Metropolitan Court will note that there was no talk of protest until after his trial for insubordination, and not even then until after he knew the consequences of his revolutionary conduct, and if they will take account of the 200th Diocesan Statute and my warnings to Egler not to incur the penalty there indicated, a decision will be arrived that will be sustained in the higher court to which it will have to be carried.

No one would be more patient and forbearing than I was in this case. I even consulted his Eminence before proceeding to inflict the penalty of suspension. Even he thought I had been dilatory in acting, making the remark that I had been dillydallying in the case. I admitted that I had, but for a reason. As I knew the case was to be a test case, it was important to move slowly and with caution.

I have no objection to any advocate approved of by the Cardinal except to Father Lambert.

If the Met. Court decide that a bishop has no right to transfer a priest, in contradiction to the *Responsa ad dubia*, it will also have to decide *how long* a priest can hold possession of his mission

against the order of his bishop. Shall it be for a day, a week, a month, or a year? This question is the more important as the civil courts will act on it. It will be necessary for me to change the by-laws regulating this point of discipline and say that the old pastor shall not cease to be pastor for a week, or month, or year after his removal. It will also be necessary for me to change the diocesan statute and say that refusal to obey the bishop must last a week, a month, or a year before suspension can be incurred.

I trust that the Cardinal will see to it that this Metropolitan Court does not transcend its authority and the sphere of work marked out for it. If Dr. McGlynn can bring in a decision adverse to me, he will do it. I am equally determined that the case shall not go against me in the ultimate appeal to Rome. Should it, however, it will no longer be possible for me to govern a diocese, and my duty will then be clear.

The only thing I am anxious about, as the case goes before the Metropolitan Court, is the possibility of Egler's making a false statement with regard to some point without my having an opportunity to disprove it. How am I to know this? Even if I sent a priest to represent me, he might not be able to refute it. I would have to be on the spot.

* * * *

In my judgment, the *responsa ad dubia* are as much law as the *Instructio*, and accordingly the right of a bishop to transfer a priest is indisputable. So any ignoring of this fact is only encouraging priests to rebel. The decision of the Propaganda in cases of the Bishops of Cleveland and Vincennes confirm the decisions of the Sacred Congregation.

This Egler has not heard mass or been in a Church in from 6 to 8 months, and only three or four times in 15 months, and then for purposes of his own. This shows how much faith the man has.

When the Met. Court renders its decision, it will be for the Cardinal to judge. It strikes me that I should be heard by him before rendering an adverse verdict. I look upon the case as decided against me, knowing the constitution of the court. Ask the Cardinal what course he will follow. Will he render judgment, as he only is judge, without a hearing from me?[11]

Bishop McQuaid did not cease his efforts to establish what ought to be the work of the Metropolitan Court in the case. Only two days later he addressed a long letter to Archbishop Corrigan from Canandaigua to urge his views in greater detail:

I am here today, holding a visitation. The ailment of last week has passed away and left me as well as ever.

I trouble you again with the Egler case. I do so because of its importance and because of the consequences likely to follow from

a decision admitting of *justifiable disobedience* as warranting a pastor removed by a bishop to hold over and retain possession of parsonage and church books for a week, month, or year, as may be agreed on by the N. Y. Commission. The Civil courts are now seeking excuses to evade our discipline and transfer to priests and afterwards to the laity control of church property. In view of the danger impending from an erroneous plea put forward by the N. Y. Commission, I deem it my duty to write again, more fully and with more precision.

The first point to be settled is the extent and limitation of duty assigned to the Metropolitan Commission of the *Instructio* of July, 1878. Their duties are the same as granted to the Diocesan Commission. The Diocesan Commission is not a judicial tribunal, neither is the Metropolitan one. Up to the day of passing sentence of suspension and final deprivation of parish on Egler, there was nothing that could come before the Diocesan Commission of Investigation. Egler had been removed from Dansville to the Ridge for reasons most justifiable, but for which I was not answerable to the Commission. In so removing him, I was entirely within my right as is clearly stated in the *responsa ad dubia* given by the Sacred Congregation in 1879, upholding the Second Plenary Council of Baltimore. In refusing to declare Egler incapacitated from all ministerial duty and entitled to the benefit of the Clergy Fund, so long as I made provision for his support, I was clearly in my right. Before I could call on our poor people, already heavily burdened with the support of priests actively engaged with the duties of the ministry, to provide for other priests, it was my duty to employ them in some other sphere of labor, in which they might earn a living without entailing additional and unnecessary cost on the people. Thus, Egler might not have been able to administer a parish, but he might have been able to hold a minor and less laborious position as an assistant, or as a chaplain, or even to say mass on Sundays when able. Again there might have been a serious reason unknown to the clergy why the placing of a pastor on the Clergy Fund might lead to grave evils. In my judgment, this was the trouble in Egler's case. By the time Egler made application to be placed on the Clergy Fund at $600 *per annum*, I became aware that irregularities at Dansville would, when juridically proved, lead to his suspension. His statement that, in the investigation at Dansville, nothing was proved against him is false. Some things of minor importance were not proved, and others, yet more serious, came out when the accounts which had been kept in German were translated into English. But while I could not admit any claim to the Clergy Fund, I made provision for his care, the best adapted for his spiritual and bodily needs. Of course, this arrangement did not suit his purpose. The reasons why he declined were not unknown to me, but they were not those assigned. This became evident when I removed him from the care of the Ridge Mission, and offered him

the hospitality of the new pastor. A condition attached of dismissing his housekeeper was more than he could accept. The evil influence of this woman came out when a copy of a chattel mortgage for $270 on his library and horse and buggy in *her* favor and entered in the town clerk's office was brought to me. This was in Feb., previous to his sickness, and while he was in receipt of all the income of the mission. This fact satisfied me that the command I laid on him, when I removed him from Dansville, not to bring this woman and her two boys with him to his new mission, had ample justification. His continuance to live with her since his suspension in spite of the scandal occasioned thereby demonstrates that I had committeed no error of judgment. In both arrangements proposed by me, I kept in view the importance of getting rid of this widow and her two sons. The enormous debts incurred at Dansville were accounted for by the people by the keeping of this family. The extravagance and irregularities of Dansville were being repeated at the Ridge, to which he had brought the widow and her two boys in disobedience to my command. No doubt, it may be claimed that this *disobedience* was also *fictitious* and not real, and, therefore, *justifiable*. But when again I removed Egler from the care of the Ridge mission, the reasons being not simply just, but imperative, I was still within my right, provided, pending his assignment to some other ministerial duty, his support was cared for.

Now, if I understand the *Instructio*, explained by the *responsa ad dubia*, there was nothing to come before the Commission of Investigation until I purposed to suspend Egler for refusing to give possession of the parochial residence and the Church registers and books. If I had the right to remove him, he was bound to obey. This obedience he could have rendered under protest. His rights would have remained the same after entering the protest as after five weeks of scandalous insubordination. During these five weeks of patient waiting on my part, priests (excepting a few of Egler's adherents) and all the laity wondered at my inaction and were scandalized at this public defiance of episcopal authority. When I determined to suspend Egler for his *persistent disobedience* after waiting nearly three weeks in the hope of a return to a sense of duty on the part of the misguided man, I notified him of my intention to suspend, but that before doing so the fact by which I would justify this proceeding would be submitted to the members of the Commission according to the *Instructio*. I submitted to this Commission the one fact of his *persistent refusal* to give possession of the parsonage and books to the priest appointed by me. I had no other fact to place before them, as no other was necessary. The by-laws regulating the administration of church property made it imperative on the congregation and the lay trustees to acknowledge as pastor only the priest appointed by the bishop. If a pastor can legally hold over by way of protest to maintain his rights, any action that he and the two lay trustees may take will be held to be

valid by the courts. I have a case now in point. A pastor whom I permitted to remain a while longer as an act of charity, perhaps of weakness, took advantage of the delay to raise money by the help of two pliant trustees. What the outcome of the transaction will be, it is hard to tell.

For the protection of the church property, it is necessary that the authority of the bishop be immediately recognized by the displaced pastor. No right that he had before would be sacrificed by such obedience to authority, especially if he had made a formal protest.

But the 200th statute of the Diocesan Synod makes yet more imperative submission on the part of a displaced pastor. The penalty of resistance is there clearly stated. The decrees of the Baltimore Council are declared by the Sacred Congregation to be in full force.

It was in view of these decrees and laws that, when Egler persisted in disobeying my order to hand over the parsonage, etc., to the newly appointed pastor, I summoned him to a trial before the Diocesan Commission on the sole charge of disobedience. No matter what other charges might have been brought against him, this now was cause sufficient for his suspension according to the Diocesan Statute. Accordingly, he was arraigned on this sole charge. *De veritate facti*, this Commission had to express an opinion. This opinion has been sent to the Metropolitan. Beyond an examination into the truth of the alleged fact the Diocesan Commission could not go; nor can the Metropolitan Commission go any further. They are not judges; they are only jurymen to try the truth of the charge or charges presented. They are not competent to revise the action of the bishop, or to sit in judgment on him. A clear defining of the office entrusted to these Commissions is all important. I maintain that the Metropolitan Commission cannot sit in judgment on a Suffragan Bishop and can take up the case only that came before the Diocesan Commission.

For these reasons I see no necessity to send a priest to represent me before the Metropolitan Commission, as I consider the one fact presented by me incontestably proved by the document forwarded by me. The Archbishop is the sole judge in his court, and it will be for him to hold the Commission to its restricted line of duty. Should he, after hearing the opinions of the members of the Metropolitan Court *de vertitate facti*, on which is based my suspension of Egler, feel disposed to render a decision adverse to my action, then I shall claim to be heard before the rendering of such an adverse decision.

I may here mention that, when it became evident that the Clergy Fund was sure to lead to numberless hitherto unforeseen dangers, I dissolved it and caused all monies paid into it by priests to be returned to them. One of the first to claim his money was Egler

himself. When he took it, he admitted that he had been badly advised when he disobeyed me.

It strikes me, dear Monseigneur, that I have made a clear case, nor would I feel uneasy, were it not that I know the spirit of Dr. McGlynn toward myself. I expect the Cardinal, however, to hold these gentlemen to their strict line of duty, more for others than for myself. Precedents become dangerous.

You mentioned in your letter that Bp. Lynch was in New York. If it were not too much trouble for him, I would be pleased to have him go over the documents and the whole case. I had intended to lay it before him for advice before suspending Egler a year ago, but he had left for the South a few days before I reached New York. As the Cardinal was not so well, I was unwilling to trouble him with the long story, but he very patiently listened to the case and then remarked that he thought I had been dillydallying with the priest. He then counselled me in getting possession of the house to use the lay trustees. It was only after my return from New York that *five weeks of persistent disobedience* drew from me the severe penalty of suspension. The pretense which Egler then made that he had refused obedience as a protest and to protect his rights was assumed when other advisers than the first pointed out the mistake.

We have to remember that, when bishops cease to be able to protect the people in *their* rights, *appeals* to the civil courts will become common and always successful.

Any decision rendered by the Metropolitan Court in sustainment of Egler's rights will have to state what rights were endangered by submission to my commands.

I think that I have quite covered the case at present up for adjudication. Other points remain for future action. In about two weeks I shall expect to meet you at Seton Hall. If Bp. Lynch should be in the neighborhood at the time, I shall try to see him.[12]

All sorts of wild rumors spread abroad while the case was pending in the Metropolitan Court. July 12, 1881, Bishop McQuaid wrote Archbishop Corrigan: "The disaffected clique in this diocese are quite exultant, having heard from their friends in New York that the case has gone against me, that I am to be deposed, etc. You know how these things are noised about by interested parties. I keep my soul in patience, as I foresee a case that will last months, may be years."[13] However, the Metropolitan Court soon gave its decision in support of Bishop McQuaid who awaited good results from this victory in bettering the condition of his diocese: "The Cardinal's decision in the Egler case will effectually dispose of the organized malcontents in my diocese. Lambert will die hard, and then all will be over. For a month past rumors of

my defeat have circulated very freely among priests and laymen through the diocese. The news had reached even the Far West." Bishop McQuaid expected the case to be appealed to Rome, and nothing suited him better than that such an appeal should be taken. He took action at once: "I have written to Rome to engage the services of a very able canonist to take charge of the case for me. In case of an appeal to Rome, it strikes me that I ought to know whatever is sent there, as a matter of record, so that I can meet every difficulty that may arise. I shall enjoy somewhat the contest in Rome with the Metropolitan on my side. Of late years priests have invariably won before the Roman tribunals. It is about time to have the victory on the side of bishops. My brief will be drawn up with great exactness and fulness and be prepared in good Italian."[14] Bishop McQuaid was somewhat mystified by the silence of the opposition. "I have not heard a word from Egler and his friends," he wrote Archbishop Corrigan, August 31, 1881. "It is now over a month since he was notified by the Cardinal of the decision against him. It may be that he has appealed to Rome without writing us. I am anxious to have the case go to Rome to make the victory more complete. Egler's conduct does not improve. A short time ago he attended a wedding in his neighborhood and greatly shocked the Catholics by the language he used." Meanwhile, Bishop McQuaid had studied the Pittsburg case, Sheehan vrs. Tuigg, and was pleased to find corroboration for his management of the Egler case: "By all the testimony of experts in the trial, I stand unimpeachable and can defy even the civil courts. It strikes me that I could have fixed Sheehan so that he could not have gained his case. It is evident that he was a poor drunken tramp lost to all shame. Was he any relative of one Sheehan at Seton Hall? I wrote this morning to Bp. Tuigg and remarked that the most troublesome annoyances in my diocese have come from Pittsburg priests, O'Flaherty, Gregg, and Egler. Lambert is a native of Western Pennsylvania."[15] As late as September 12, 1881, Bishop McQuaid had to confess his ignorance about any action in the Eglar case: "I can hear nothing about him except that he works in his garden and visits his neighbors. Of course, his party are very reticent."[16]

Meanwhile, another case had developed to annoy Bishop McQuaid, as he informed Archbishop Corrigan in the letter of the same date: "I am threatened with another appeal to Rome. Rome started this business and now throws the labor and annoyance on the Metropolitans. This gentleman was regularly excorporated with all needful formalities and left my diocese much to my regret, as he was sober, moral, and zealous in material works. I did my best to keep him in the diocese. Failing to do so, I asked for his accounts, and then learned that he had a claim of over $400 for salary against his church. He was told to go back to his parish and pay himself, as I would not ask another priest to collect a debt for him. He then offered to forgive the debt, provided it was acknowledged as a gift from him to the Congregation. To this I agreed and wrote in his account book said acknowledgement which he signed. He now purposes to appeal to Rome to have this sum refunded to him. I write this only to show you how, in this fever of appeals to Rome, the most absurd claims and pretences suffice."[17] More than a month later Bishop McQuaid writes humorously of another bit of mischief in his diocese: "Hughes of East Bloomfield has notified me that he is about to publish a book. 'Oh, that my enemy would publish a book!' The poor fellow has lost his head and wants to provoke me to suspend him that he may become a martyr. I have no thought of gratifying him."[18] After burying Father Hughes, nine years later, Bishop McQuaid sent a peculiar request to Archbishop Corrigan: "Should there be any letters from him to Card. McCloskey, please to destroy them. When the old gentleman was angry, he wrote savagely. The Card. said to me that he held the letters in case the priest appealed to Rome to show what manner of man he was. He had good qualities in abundance, but he was steeped in contrariness. R. I. P."[19]

In the meantime, Rome had received an appeal from the decision of the Metropolitan Court in the Egler Case. November 23, 1882, Bishop McQuaid wrote: "The case will be taken up some time this winter. All the documents in the Egler case are now in Rome. These documents in Italian and English covered over 150 pages, foolscap, in a fine hand."[20] The case progressed very slowly, and on May 22, 1883, Bishop

McQuaid welcomed the news received from Archbishop Corrigan "that the Egler case is approaching an end. Should so clear a case go against me, there would be no further use for me as a bishop. I do not think they will send us a delegate. They may appoint one from this country. Anything would please me better than uncertain and mutable rulings of law. I do not intend to waste my time in the quibblings of a petifogging lawyer. Yet to something like this we bishops are coming."[21] Later Bishop McQuaid had occasion to take exception to Egler's lawyer, Dr. Burtsell, because he "used language in his pleadings, reflecting on the honor and motives of the Metropolitan, the late Cardinal McCloskey, and the bishop of Rochester."[22] The dragging out of the case also drew a protest from the latter: "I do not blame Egler so much for what I have to suffer as I do Rome. This long delay has kept a running sore open."[23] Finally, when the decision was given, the opposition adopted tactics that became traditional in that circle. Bishop McQuaid, accordingly, wrote August 17, 1883: "Egler went wild at first, but his last letter indicates a toning down of his pretensions to a grand victory, as he announced at first. I do not believe that there is any sincerity in the man. Yet when he complies exteriorly with what is required, I cease to be responsible for his interior sentiments."[24] A good many years later when Lambert seized an opportunity to publish his own version of the Egler case in the *New York Freeman's Journal*, Bishop McQuaid had occasion to denounce that malcontent's part in this whole business:

> It is probable that there would have been no Egler case but for Lambert himself. Egler, I have reason to believe, would have submitted to my orders but for the encouragement he received from Lambert and others. I required Egler to dismiss his housekeeper, a young widow. In removing Egler from Dansville, where his position was no longer tenable on account of financial embarrassment, I required him not to take the widow with him, as she was at the bottom of his troubles. He disobeyed me and installed the widow as his housekeeper in his new abode. Very soon the same difficulties arose here that had shown themselves in Dansville, and before long the same scandal would break out here as in Dansville. The case, finally, went to the Propaganda, and the decision was that Egler should make public reparation for his scandals, dismiss the widow, and take a position as Assistant or Chaplain. He complied outwardly with all the conditions laid down by the Propa-

ganda, and I then appointed him Chaplain to the Catholic Hospital in Rochester. The widow, whose home had been in another county, moved into the neighborhood of Rochester, taking a small cottage on a retired road five or six miles from the city. Every week or two Egler paid her visits, spending the day until late in the evening with her. The Sisters at the Hospital were shocked to know of the conduct of their Chaplain. Three different times I warned Egler to discontinue these visits, but all to no purpose. Finding that these visits were kept up, to get juridical proof, I engaged two police detectives to go to the widow's house while Egler was there and report to me. They reported having found him there, and that, in all their experience with criminals, they never heard such language as this priest poured out on them. Immediately on Egler's return to the Hospital, he wrote a letter asking an "exeat" and permission to leave the diocese without awaiting my action in the case. I gave the "exeat", and he went to the Diocese of Denver. The bishop did not ask for any information, nor did I proffer any. Almost every Summer Egler came from Colorado to visit the widow, spending two or three weeks with her. At last, she went to Colorado again to become his housekeeper. Why Egler left Colorado, I do not know, but he and the widow came on to the diocese of Peoria, and before Egler was assigned to a mission, he was taken down with typhoid fever and died.[25]

Chapter XXIII

PRESS TROUBLE

At the same time that Bishop Gilmour acknowledged gratefully the receipt of the Interpretation of the *Instructio* sent to him from Rochester, he also thanked Bishop McQuaid for the newspapers with the court decision in the Donner case, "so entirely satisfactory." He then took occasion to remark: "The Bishop of Alton, you, & myself are the only ones so far who have dared to grapple with the press. I, like you, killed my scandal, but externs, though clipped of their strength, still live, because home powers permit them to go on. You have brought out the fact that a bishop has some rights as a guardian of religion and morality. We also have had several important decisions both on the Bible and tax question, & though the Bishop of Scranton was forced to pay expenses, he yet won by the declaration that the court could not go beyond the action of the church, and I have little doubt a future trial before the supreme court would establish the bishop's rights."[1] Donner's conduct of the German Catholic weekly newspaper, the *Sonntagsblatt,* was especially reprehensible in view of Bishop McQuaid's directions in the Pastoral he issued on the eve of his departure for Rome, October 4, 1878:

> A great help in the education of children is to be found in providing them with good reading. Not alone for children is this a help, but for adults as well. The power of the press, for good or for evil, is felt in every house in the land. So many read the newspaper that the few who do not, come under the influence, nevertheless, of those who do. From one cause and another, our American youth hunger after the printed page. They will read good literature, not perhaps the highest in tone and character, if they can obtain it, but such is the weakness of human nature unaided by God's grace, that they will devour with greater avidity the pernicious publications of panderers to depraved and corrupt taste.
>
> We warn parents against danger of permitting in their houses unwholesome reading of any kind, calculated to corrupt faith or morals. They must, therefore, watch the newspaper, the novel, the

magazine, the book. Sometimes the poison in the newspaper lurks in the unsuspected advertisement; then it permeates stories of doubtful character, then it is found in sneers and slurs against religion and its ministers; and, last of all, in the labored article or editorial. But, of all dangerous newspapers, the worst is the one that professes to be Irish and Catholic, while omitting no opportunity to excite distrust in the minds of its readers towards priests and the Church. These papers are agents of the secret societies. They strive to destroy the confidence of the people in their pastors, as the best means of removing the greatest obstacle to the spread of their forbidden organizations. In time, the character of these newspapers is seen by all who have any religion left; but before that day many are perverted; their Catholic tone of thought and feeling is chilled to death, and all the love for their religion gone. We never encounter trouble in a parish without discovering that readers of these papers are the prime movers. Pastors will be watchful that papers of this description do not circulate in their mission.

It is not, however, the fufillment of duty to exclude corrupt and dangerous literature from the house; an ample supply of good reading should be provided. In every family there should be at least one newspaper, sound in its principles, in harmony with Catholic teachings, in sympathy with the Church's work, an assistant to the pastor in propagating a knowledge of divine truths. A good Catholic newspaper keeps up, during the week, the pastor's Sunday work of preaching the gospel and is able to treat of subjects good for the parishioners to be familiar with, but which cannot be touched on in the short sermon of the pastor. Many of these subjects too, no matter how important and useful, would be out of place in a sermon. Families whose means admit of the expense should have more than one Catholic newspaper. Besides the local paper there are others, published in the larger cities, in every sense worthy of Catholic patronage. It will give us pleasure to know that there is not in the diocese of Rochester, one Catholic family without its Catholic newspaper.[2]

While Bishop McQuaid was in Europe, the *Sonntagsblatt* carried on a campaign of vilification against Dr. Sinclair, Fathers Pascalar and Hofschneider, the pastors of three important German Catholic congregations in Rochester, respectively of the churches of Sts. Peter and Paul, of St. Michael, and of the Holy Family. The articles against them and some others were of the most scurrilous, libellous, and obscene character. Shortly after Bishop McQuaid's return home, one of the priests assailed waited upon him, declaring in the name of himself and the others: "We have a serious

Bishop McQuaid in the center with Father O'Hare to his left and Father Oberholzer to his right. The latter celebrated the Silver Jubilee of his priesthood May 21, 1882. Against Donner's calumnies, Bishop McQuaid defended (1) Dr. F. H. Sinclair of SS. Peter and Paul's Church, (2) Father F. Pascalar of St. Michael's Church, and (3) Father L. Hofschneider of Holy Family Church.

matter to lay before you, but as you are in bad health, we will not trouble you now, but wait." The following week the Reverend Mr. Zimmer of St. Joseph's Church brought Mr. Donner to Bishop McQuaid, to whom it was represented that one of those priests had assailed the editor from his pulpit without provocation. Bishop McQuaid naturally exclaimed: "I will not tolerate the pulpit being used for anything of the kind." A week or two later the three priests placed before their Bishop incriminating extracts from Donner's paper. Bishop McQuaid examined for the space of three months the charges made by Donner and found them false and malicious. On the other hand, the evidence was overwhelming against Donner, and so Bishop McQuaid took necessary action: "I took the discipline ordered by the Catholic Church—that a man who was a notorious defamer of others and a spreader of gross, vulgar, and impure language was unfit to be a person whose writings should be read."[3] The Bishop, therefore, addressed a circular letter to the German Catholic congregations of Rochester, July 26, 1879:

> On my return from Europe, I learned that during my absence a newspaper, supposed to be Catholic in its spirit and intended for Catholics to read, had repeatedly assailed the moral character of three respectable priests of the city of Rochester.
>
> It is not necessary for me to say anything about the antecedents of the editor of this paper or of the circumstances under which he was introduced to the Catholics of Rochester. It is stated that charges most wicked and criminal were brought against these priests in the columns of this paper.
>
> These accusations were of such a nature that, if they were true, it would be the duty of the Bishop to suspend the guilty priests and degrade them from the ministry. A priest has his character as his most precious treasure, and if it can be blackened with impunity through the columns of a newspaper, there is no man more unfortunate.
>
> It is useless for him to appeal to the law, and he cannot resort to personal violence. It is well known that he is thus hampered and little capable of defense. Men who would not dare to attack laymen in the same way are brave in striking at priests.
>
> It becomes the duty of the bishop, of his priests, and of all good Catholics to uphold the honor of these priests thus scandalously calumniated. Unfortunately, through weakness or fear of the batteries of abuse being turned on him, a priest of the city failed to do his duty and lent encouragement to this calumniator of his sacerdotal order.

If threats of personal abuse are to deter us from doing our duty, then we live in a state of dread and pusillanimity unworthy of the man. I can have no argument with an editor who writes in the style of the one of whom I am speaking. He is welcome to pour out his vials of wrath on my head, and if his language is acceptable to any Catholics of this city, it will be only because such Catholics are unworthy of the name.

I wish this letter to be read in all the German Catholic Churches of the city on Sunday, July 27th.

No one after this can continue to uphold this paper by buying or reading it without the commission of sin, and from this hour it is to be excluded from every respectable Catholic house. It should not have been necessary for me to say this, nor would any notice of this paper have been required of me, had not some Catholics been led to believe that it received the support of the clergy.

That there be no mistake with regard to the reasons for which I denounce this paper and forbid its entrance into Catholic homes, I repeat them:

The editor of this paper has frequently calumniated good and worthy pastors of this city and continues to heap calumnies upon them. In so doing he shows that he has not the conscience of a Christian, the honor of a gentleman, or the courage of a man. He uses his paper for attacks on character, thus frightening and coercing the timid. Its low and vulgar language makes it unfit reading for pure minds, and all who contribute towards its support participate in the sins of calumny against priests of which it is guilty.

It is on these grounds of common decency and Christian morality that I condemn this paper and call on all right minded Catholics, who love their religion and its ministers, to have nothing to do with it.[4]

This letter gave ample satisfaction to the outraged pastors. The Provincial of the Redemptorist Fathers also took action and removed Father Zimmer from St. Joseph's Church. Mr. Donner, however, remained contumacious. First of all, he communicated a letter of protest and warning to the *Union and Advertiser*, where it was published the same day that it was written, July 28, 1879:

In yesterday's papers appeared various and conflicting accounts of the removal of Rev. Peter Zimmer from the rectorship of St. Joseph's Church, the Bishop's story of the causes that led to such removal, and of my being implicated in the affair. None of these accounts were flattering to me, and each did me more or less injustice. The Bishop, moreover, put forth his edict, which was yesterday published in several (and not all) of the German Catholic

churches of this city and in the *Democrat and Chronicle* of this morning; and wherein I am grossly calumniated and most roundly (though no doubt most lovingly) abused. No one, of course, will for a moment suppose that I will silently bear the insult and wrong which has been heaped upon me, or that I will fail to vindicate myself even before the English-speaking portion of the community. But that I may do so thoroughly, I am compelled to ask a suspension of public opinion for a week or ten days, within which time I will publish what I have to say in the matter. But if there be any who are desirous to get at the facts before then, I refer them to their German fellow-citizens who have had an opportunity to make themselves familiar, to some extent, with the controversy, to which the Rev. Sinclair and I were the parties, as well as with the contents of the article published by me in the last edition of the *Sonntagsblatt.*[5]

This German Catholic weekly newspaper, August 3, 1879, denounced, in unmeasured terms, "Mr. Bernard McQuaid, Inquisitor of Rochester," as "a devilishly bad financier." The same issue of the paper also reiterated criminal charges against Father Pascalar, "the Judas Iscariot against a godlike man," and again made vile insinuations of improper relations against Father Hofschneider. Each subsequent number of the paper gave additional proof of having been delivered up to a corrupt sense and of being, therefore, unfit for circulation amongst the people of any congregation. Nevertheless, Bishop McQuaid October 4, 1879, was served with a summons to answer in court the complaint of Mr. Donner who demanded a judgment of $10,000. The Bishop was charged with having issued a circular letter that was "malicious, false, and defamatory," that was issued "for the purpose and intent of bringing the plaintiff into disrepute and of injuring him in good name, character, reputation, and social standing, as well as in his business situation and capacity as an editor." Mr. Donner was served with an answer, December 13, 1879. To forestall a charge of garbled translation, Dr. Mannheimer, reader in the Jewish Synagogue and a native of Prussia, was employed to translate the numerous filthy articles of the *Sonntagsblatt,* upon which Bishop McQuaid had based his prohibition of the paper to his people. Some of the articles were so vulgar and indecent that the secular newspaper did not dare to print even a summary, but simply indicated their vile character. Bishop McQuaid, in his answer, of course, denied

all malice and improper motive.[6] When the case was argued in the Special Term, February 25, 1880, a motion was made, in behalf of Donner, to strike out a number of articles from Bishop McQuaid's answer on the ground that they were irrelevant and redundant. The Court refused to do so in the case of all but three articles, and intimated that even they might be used at the trial in proof of malice.[7] The final trial took place, October 11, 1880, in the Circuit Court, over which Hon. Francis Macomber, a Protestant, presided.

The case was not a simple suit for damages. The question at stake was "whether a person occupying the position of the Bishop, having in charge the morals of the people under his care, could legally and rightfully forbid them to buy or read a paper or book, containing what, in his opinion, would impair those morals." This was a novel issue in the civil court, and the decision was awaited with curious interest, especially by the bar, by teachers, ministers, and bishops of the Catholic Church and also of other religious denominations. The plaintiff established actual financial loss through Bishop McQuaid's denunciation of his paper which was three hundred less in circulation for the space of three months, but the Bishop gave clear and even eloquent testimony of his official duties in the case when called to the witness stand to testify in his own behalf. This proved to be the determining factor in the decision rendered by the Judge, when the defendant's counsel moved the Court to dismiss the plaintiff's complaint with costs on the grounds: 1st, that the letter of the Bishop was not in any way libellous; 2nd, that it was a privileged communication; and 3rd, that the truth of the matters set forth in the letter was abundantly established by uncontradicted evidence. Judge Macomber replied, giving the following decision:

> I was in hopes that the counsel would not press a motion of this kind, but, inasmuch as it has been made, it is my duty to dispose of it according to the rules of law.
>
> A libel is a false and unprivileged publication by writing, printing, or like methods, which exposes any person to hatred, contempt, ridicule, or obloquy, or which causes him to be shunned or avoided, or which has a tendency to injure him in his occupation.
>
> Tested by that rule, I think the letter which is counted upon as libellous in the complaint, stripped of matters to which I shall refer

in a moment, is clearly libellous. When analyzed, it charges upon the plaintiff that the paper which he publishes, is low and vulgar in its language. That, accompanied by the proof, which has been offered, of actual damage, is also libellous. Standing alone, therefore, I say, the document is libellous. It is not necessary for the plaintiff to show affirmatively that it is false; there would be presumption from the reading of the documents that it is false. It is not necessary for the plaintiff to prove that the matters stated in this paper are untrue.

The effect of this can be met in two ways—first, by showing that the letter, counted upon as libellous, is true; or secondly, that it is privileged.

Under these proofs, however strongly I might think about the facts of the case as shown by an exhibit of this newspaper running through several months, I should deem it my duty to submit to the jury the question of the truth or falsity of the allegations of the pastoral letter. That would be a question of fact, and the conclusion of the jury would be drawn not only from the words used, but from the whole tenor of the newspaper articles which are set up and proven by way of justification.

But that does not, by any means, dispose of the case, because, if the communication is privileged, there can be no liability of the bishop. Upon undisputed facts, it seems to me to be a question of law which I am to meet and to decide.

By reference to the uncontradicted facts, it appears that it was the duty of the Bishop of Rochester to appoint suitable pastors for the various churches under his care, to remove such pastors, or to change them from one parish to another, to degrade them to a lower position in the church, or to degrade them altogether from the ministry; that it was his duty, while a priest was discharging the obligations which were imposed upon him, to protect him in the administration of his charge. Passing to the duty of the Bishop to the congregation, it was his duty to do this by advice, by pastoral letters, by visits; and that it was especially his duty to guard his people against obscene or false or deleterious literature.

When the Bishop returned from Europe, he found that the pastors of three of the German churches, namely, of Sts. Peter and Paul's, of St. Michael's, and Holy Family, had been assailed in their private character in such a manner as to justify him, he says in his pastoral letter, to remove them if the accusations were true. His attention was called to the paper which had published these accusations and to the general character of that sheet. He discovered what appeared, to his mind, evidence that it was an immoral and indecent sheet, which ought not to be permitted to be published among his people. He, therefore, wrote this pastoral letter. He says, that paper purports to speak for Catholics—certainly that it is read by Catholics. That is also the allegation in the complaint which states that this paper was largely read "among many who

professed the Catholic faith, including a large number of persons who are and, during all these times, were regular and habitual attendants and worshippers in the Catholic churches hereinafter named." In that condition of things, the Bishop saw fit to cause this letter to be read, in which he denounced, in moderate language, the offence which had been committed against the persons who were specially in his care. In my judgment, he had a perfect legal right so to do and committed no offence against the laws of this State in writing the letter in question, as there is no evidence here of any want of good faith on his part. If there were, I should submit the case to the jury.

There is no evidence of any malice on his part—no evidence which would lead any person to believe that he desires to injure the plaintiff in his business in any respect—but it was a step taken in apparent good faith to protect these priests and his people from the evils flowing from a scurrilous press. If there was any proof of malice here, I would submit the case to the jury, but there is none. It was not to injure Mr. Donner in his business, but it was to protect his priests and parishioners; and any pastor of any church, acting in good faith and having reason for it, would be justified in doing the same thing. That being the case, and the decision of the question being thrown upon me, I must so hold, and I must, therefore, non-suit the plaintiff.[8]

The secular press of Rochester congratulated Bishop McQuaid on this triumph of justice, truth, and morality with its salutary lesson, "that no man can, with impunity, assail the defenceless and innocent, or invade the sanctuary of the family to corrupt youth by vile and vulgar reading under the plea of the liberty of the press,.....that the judiciary will not countenance slanderous tongues or pens,.....that the law will sustain ministers of the gospel in protecting their people from vile slandering and the community from the nauseous and noxious literature emanating from impure minds."[9] The *Union and Advertiser*, October 15, 1880, even published a full synopsis of the case, furnished by Mr. Osgoodby, the official stenographer, to show that a letter, such as Bishop McQuaid's pastoral, was a privileged communication, and that "the one claiming to be injured by his act, and who brings suit for damages, will be turned out of court without redress." It was to this that Bishop McQuaid referred when he wrote Bishop Gilmour, October 25, 1880: "I send you the paper with a full account of my famous lawsuit. For religion's sake and for my honor the victory is a satisfactory one. It was neces-

sary for one like me not to be defeated. Within our own camp, there are some, I am afraid, who would not have been sorry at my discomfiture."[10] An address to Bishop McQuaid from the parishes most interested expressed their satisfaction with the result:

> We, the undersigned lay trustees of three of the German Catholic parishes of this our good city of Rochester, viz: SS. Peter and Paul, Holy Family, and St. Michael, in our own and in their name, take the liberty to call upon you, our bishop, firstly, to congratulate you on the most signal victory you just gained in the cause of right and justice, and secondly, to thank you for the manly defence you have assumed for the honor and good reputation of our beloved pastors, and by so doing, defending the honor of our respective parishes themselves.
>
> We deem it our duty to do so, particularly as you, on this account, had to take so much pain and trouble and to face the continued and public abuse, clad in the most vile and venomous language ever used in our German tongue.
>
> We, and with us the whole Catholic community entrusted to your paternal care, as well as all good and upright people, rejoice in the fact that the foul and impure exhalations of an infamous paper, already condemned by your lordship's letter, has lately received its final and deadly blow in public opinion by the late decision of the supreme court itself.
>
> We rejoice in the thought that, by this most eminently just stand the court has taken in this case in sustaining and protecting the ecclesiastical authorities in the performance of their most vital and important duties, they in the future will have no reason to shrink from the performance of such duties on similar occasions.
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> Heretofore, they often had to dread the public hatred of bad men who, by shamefully abusing the liberty of pen and press, tried to terrorize by their diatribes the good, but timid, and to deprave totally the weak and simple, boastingly claiming for themselves and the black deeds the protection of the law. But, thanks to God, the cause of right and justice as well as the American sense of public decency and morality, so outrageously and persistently trampled upon by a vile publication, has been vindicated. The good effect of such vindication, we trust, will spread far beyond the limits of our diocese, serving as a test case wherever the moral atmosphere of this our beloved country is in danger of being infected by the impure breath of vile illustrations and literature.
>
> Thanking your lordship once more for manfully upholding and defending the good character and honor of our spiritual guides and leaders, so necessary to them in the fufilment of their sacred duties, and for having at the same time guarded by your intrepid attitude the sanctuary of our homes and families from a most impure and infamous contamination, we promise on our behalf and in behalf

of our congregations that we will most energetically co-operate with your lordship in carrying out your aims and wishes, which are always intended for and directed to our spiritual and temporal happiness and welfare.

May the Almighty God bless you, our spiritual head and bishop; may He assist you, as in this, so in all your enterprises, for the good and increase of religion and morality among your people to the happy end of your life.

The address was signed by the lay trustees of the three churches: Garrett Mansing, Thomas Wisgickl for Sts. Peter and Paul's Church, Anton Hertel, Kilian Halbleib for Holy Family Church, and August Klingler, Leo Sander for St. Michael's Church. The address betrays, in its language, the fact of its translation from the German original, but the sentiments expressed pleased Bishop McQuaid, who wrote to these gentlemen in reply, October 23, 1880:

I received your address of congratulations and thanks with much pleasure. It expresses, I am confident, the sentiments of all right-minded Catholics of the three parishes which you represent and gives utterance to the satisfaction felt by all Catholics of the diocese of Rochester.

I may go further and say that all pure minded, that all wise and watchful parents, that all just and reasonable citizens, capable of understanding the difference between liberty and license of the press, rejoice at the vindication of parental and pastoral authority as well as at this judicial condemnation of impure, slanderous, and wicked literature.

It is right that well deserved praise should be awarded to the laity of these three large and influential parishes for their loyalty to their pastors during these two years of bitter trial. With trifling exceptions their fidelity and trust have been general. In the beginning of these shameful attacks on the morals and characters of their pastors, there may have been some of timid mind and weak soul, who deceived by the daring publicity of the calumnies, feared lest there might be some truth in them. After two years of repetitions of hints, slurs, and innuendoes, the character of these priests remains unimpeached and unimpeachable.

It is not right to blame altogether the people who lent countenance to the establishment of this paper in Rochester. Introduced by the clergy, this paper was supposed to be one eminently fit to be used by Catholics for its purity of faith and morals. Had the history of the proposed editor in Baltimore, Cleveland, Detroit, and Milwaukee been cursorily looked into, the paper would never have found entrance into the homes of Catholics in Rochester as an instructor of virtuous mothers and daughters. A great harm was done to religion by whomsoever he was brought to Rochester.

The newspapers of this city know well that I bear them no illwill, and that, while within the limits of common decency, I would not raise a finger to interfere with their legitimate business. My denunciation of this ribald and unclean paper they have always regarded as no interference with the liberty of the press, but a righteous condemnation of a journal whose foul writings besmeared not itself alone, but the very profession of journalism. Only one paper, published in the English language, seemed not to reprobate the writings of this peculiar editor, though it was careful not to offend its readers by quoting elegant extracts as specimens of choice billingsgate.

But what shall be said of the 2,600 or 2,800 families into whose homes this coarse sheet is weekly welcomed? Very few of these families belong to the Catholic community even in name. Can it be possible that hatred of the Catholic Church is so venomous among our non-Catholic German citizens that they encourage slanderous language and calumnies against priests as aids to their own cause? Are they not intelligent enough to know that it will not be long before the same agency will sow discord and dissensions among their own congregations? On what principle of Christian morality can they encourage the use of language such as has been customary in the columns of this Sunday paper? Is this their method of promoting kind and courteous relationship among Christian neighbors?

I hope that it will be the aim of all the members of your congregations to cultivate kindly feelings among all classes of reputable citizens, while adhering closely and firmly to the teachings and commands of your own church; that, in the future as in the past, you will guard with vigilance the sacredness of your homes and the purity of your wives and children; that you will ever remain faithful to your pastors in their labors and counsels for your spiritual welfare, sustaining them by your devoted loyalty and ready co-operation. When the enemy seeks to enter the fold, you will know how to meet him.[11]

Chapter XXIV

IRISH LAND LEAGUE

Precisely at the time of Bishop McQuaid's Press Trouble in Rochester, an economic crisis had developed in Ireland that made the need of reconstruction very pressing there and led to an appeal for help from America. Good harvests with high prices for a period of seven years, beginning in 1870, had raised rents in proportion. Then prices began to fall despite poor harvests in 1877 and the year following. Complete failure of the crops in 1879 threatened disaster, as the general inability to pay rents meant eviction on a large scale in a country where the peasant, as a rule, was not the proprietor of the land. The condition of affairs became desperate when the pinch of famine began to be felt. Under these circumstances, Nationalists and land reformers met in Dublin, October 21, 1879, and established the Irish National Land League to put an end to rack renting, eviction, and landlord oppression. The official Irish text made the further specific declaration: "The main purpose of the Land League is the liberation of the peasant from landlord power by obtaining for him through constitutional action the ownership of the land he cultivates, with the tender of fair compensation to the landlord for extinction of his interest." This meant a more radical remedy for chronic trouble in Ireland than was entertained in the agitation, inaugurated by the Tenant-Right League in 1850, for the three F's: fair rents, fixity of tenure, and free sale, as these amounted to nothing more than the legal recognition of the peasant's right to dual ownership with the landlord in his farm land. Charles Stewart Parnell, who had been elected President of the Home Rule Confederation at Liverpool in 1877 in place of Isaac Butt, was now also elected President of the Land League, which requested him by resolution passed to visit America "for the purpose of obtaining assistance from our exiled fellowcountrymen." In

this mission, there was associated with him one of his chief supporters, John Dillon.[1]

Thus, the "New Departure," that had grown into a national movement in Ireland, passed over the ocean into America, where the ground had already been prepared for its reception. A great factor in the preparatory work had been the visit of Michael Davitt to the United States in the latter part of 1878. Although he disclaimed the title of "Father of the Land League," as "I was only giving voice to the opinions of other men who came before me,"[2] he made the following revelation in open court:

> The Land League, which is here on trial, is largely, if not entirely, the offspring of thoughts and resolutions which whiled away many a dreary and tedious hour in political captivity, which lightened the burden of my penal servitude, and brought solace to me to some extent for the loss of liberty, of home, and of friends. The idea of the Land League recalls more than even this to justify my present position before your Lordships. The conception of some such movement did more than give to my thoughts a congenial occupation while in the companionship of the thieves of Dartmoor Prison. It represented the triumph of what was forgiving over what was revengeful in my Celtic temperament . . . . When a man found himself in prison at the age of twenty-two, bereft of everything that endeared him to life, and surrounded by every condition of existence that could excite and keep alive passion and resentment, it was a hard and unequal struggle to conquer the spirit of hate and revenge.[3]

This took place while Mr. Davitt, who had joined the Fenians at the age of seventeen, was serving out the sentence imposed on him at the Old Bailey, in July 1870, to fifteen years' penal servitude, on a charge of treason felony, because of a "criminally foolish" letter that he wrote at the age of twenty. It seemed to incite to assassination, but really was intended to delay and prevent it.[4] Although his convictions had changed in prison, immediately on his release, he rejoined the Fenian Brotherhood to win over as many members as possible to open and constitutional agitation, "because I made up my mind that secret conspiracies were of no use." During his visit to America to see his poor mother, he seized the opportunity to lecture in favor of an open movement, which he invited the Irish race throughout the New World to adopt. His plan of campaign was to make no distinction of persons,

conservative or radical, Clan-na-gael or otherwise, even "to attend any meeting, however violent, and stand up for common sense."[5] There was danger of compromising the peaceful "New Departure" by evil associations. Since the condemnation of the Fenians, ecclesiastical authorities had been especially watchful, and at the very time of Davitt's tour in the country Bishop McQuaid gave the most explicit warning to his people to be on their guard against such evil associations:

> Secret and oath-bound societies are regarded with horror by the Church. The Popes have, at various times, condemned these societies and excommunicated all that belonged to them, or in any way aiding or abetting them. No one can be a member of these forbidden societies and of the Catholic Church at the same time. Many members of secret societies understand this fact so well that now they are unwilling to admit a Catholic to membership. He can scarcely be true to them, so they say, since he betrays his church and is unfaithful to his religious obligations.
>
> In calling attention of pastors and people to the dangerous influences of secret societies, we are moved thereto by anxiety to preserve our diocese from such calamity as it would be liable to, if these societies got a foothold in it. So far our diocese is greatly blessed by their exclusion. For this mercy we thank God who had inspired pastors with vigilance and zeal and their people with docility and trust. The young may not be as obedient as their fathers nor as quick to see danger ahead. It is right, therefore, that pastors should often repeat the warning of the Church and, by pointing out to the unwary the evils flowing from association with condemned societies, excite in the minds of their hearers a dread of any affiliation with them.
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> Some of these societies are condemned by the Sovereign Pontiffs by name. There can be no question of the nature of the sin committed by a Catholic who joins any of these societies and of the consequences to him in his relation to the Church. Other societies are equally to be avoided, because in their aims and methods, they are identical with the first class. It is not necessary that each time one of these societies puts on a mask and assumes a new name, the Holy See should tear off the mask and brand the exposed body. Catholics can do this work by remembering the marks given for their guidance.
>
> 1. Avoid all societies condemned by the Church by name.
>
> 2. Avoid all societies, whose principles are similar to those of the first class, as in any way inimical to religion or legitimate government.
>
> 3. Avoid all societies, whose purpose is the doing of wrong or injustice to individuals or classes in the community.

4. Avoid all societies bound by oaths of secrecy against the rights of lawful authority, spiritual or temporal.

5. Avoid all societies whose rites and rituals are made up of forms, ceremonials, and words partaking of a religious character or communionship of worship not according to the teachings and practices of the Catholic Church. Some of the societies and lodges, with their most worshipful masters and high priests, are substitutes for church and priest.

Leaving out of account the commands of the Church and all religious considerations, a man has no right to give up control of his own will, binding himself to unknown obligations. He can do so only by sacrificing his manhood and independence of action. In resigning into the keeping of a society or lodge a man's liberty of speech, the boasted freedom of America is lost. It is a disgrace that, in a country like ours, in which there is no possible excuse for oath-bound societies, men should be so ready to yield up their freedom of will and become slaves of unknown and irresponsible masters by the oaths they take. Men, who never tire of contemning titles and the fantastic trappings of the aristocracy, assume wonderful state and dignity, aping the manner and style of the classes they pretend to despise. It is childish and silly, and one of the chief signs of weakness and decay in our young Republic. The robust vigor and plain common sense prevalent among the American people a few years ago are clearly passing away.[6]

Although Bishop McQuaid thought his diocese fairly free from the danger of secret oathbound socities, this condition of affairs did not seem to him to be the case everywhere else. For he wrote Bishop Corrigan, February 15, 1877: "I would not be surprised if the Fenian question came up again in ecclesiastical circles. Col. O'Mahoney, the Head-Center, died in N. York this week and was buried from the Jesuits' Church with great attendance of Fenians, and not a word said of renunciation on his part. Yet he belonged to the Stephens' class, affiliated with the secret societies of Europe. His body goes to Ireland and will be honored most ostentatiously by Fenians. The Cardinal of Dublin will be annoyed by the fact that he received Church recognition here, which he will not permit there. If O'Mahoney did not renounce Fenianism before he died, he could not have received the sacraments. Whatever doubt may be with regard to some, there could have been none with respect to him. At last, Bp. O'Hara has excommunicated the A. O. H., and directs his priests to refuse them absolution. It would have been better, had he acted sooner."[7] The same year that Parnell visited the United

States on his Land League mission, Archbishop Wood of Philadelphia took occasion to denounce the efforts, "made in many parts of the diocese, and probably throughout the country," to entangle the faithful in the meshes of forbidden secret societies. He made his meaning perfectly clear: "To say nothing of the 'Masons,' 'Odd Fellows,' 'Sons of Temperance,' etc., about whose condemnation no doubt can exist, these societies are known by various other appellations—such, for example, as the 'National Brotherhood,' condemned by the Bishops of Ireland; the 'Fenian Brotherhood,' whose efforts to aggregate members to their association in this country are unscrupulous and unceasing, and in addition to these, the 'Mollie Maguires' the 'Ancient Order of Hibernians,' the 'Buckshots' and others, whose names seem to be selected rather to conceal than to indicate the object of their association."[8] This was in March when the Land League envoys returned to Ireland. Parnell himself had proclaimed publicly in the Mass Meeting at Madison Square Garden, January 4, 1880, the second day after his arrival in the country, that their mission was not to collect one cent toward organizing an armed rebellion in Ireland, which was largely the main object of the Irish secret societies. He, therefore, did not hesitate to reveal their own aims: "Originally we proposed only to address you on behalf of our political organization, but the course of events in Ireland has culminated so rapidly—a terrible, far and wide spread famine is so imminent—that we felt constrained to abandon our original intention and to leave ourselves open to receive from the people of America money for the purposes of our political organization, and also money for the relief of the pressing distress of Ireland. We propose, then, to form two funds—one for relief of distress and the other for the purely political purpose of forwarding an organization."[9] Nevertheless, interviews given by Parnell and Dillon during the voyage across the Atlantic to Mr. Ives, special correspondent of the *New York Herald,* resulted in an account, occasionally corrected by Mr. Parnell himself, that ascribed to the latter this statement: "A true revolutionary movement in Ireland should, in my opinion, partake both of a constitutional and an illegal character. It should be both an open and a secret organization, using the constitution for its own purposes, but also tak-

ing advantage of its secret combination."[10] Parnell later in court disputed the most obvious meaning that might be taken out of these words in connection with his mission to America, that under the surface of open constitutional agitation there was also the secret conspiracy of physical force, even of dynamitism, such as was proposed in Devoy's "New Departure" telegraphed to Mr. Kickham to be submitted to Parnell. The latter never received the message as Mr. Kickham refused to submit the proposals to a man whose policies displeased him.[11] Meanwhile, the cry for relief from distress had already been heeded even before the arrival of Parnell and Dillon in America. Bishop McQuaid had addressed his appeal to the people through his clergy, December 30, 1879:

> All accounts received from Ireland represent the condition of her people, in some parts of the country, as painfully distressing, and as demanding the generous and prompt help of well disposed friends.
>
> High rents for land, extraordinarily wet and unpropitious weather through summer, causing failure of crops or light crops of poor quality, and a great falling off in the prices of agricultural products, explain the cry of distress that comes to our ears for pity and assistance.
>
> Besides, the law of Christian charity, which bids us lend a helping hand to afflicted and famishing neighbors, a very dear feeling of natural sympathy springs up in our hearts for these present claimants of our bounty. Most of us are from Ireland, many are children of Irish parents, and all owe a debt of gratitude to a people who for centuries, under the most bitter persecution, kept bright the light of faith and transmitted it to us, the inheritors of this priceless treasure without being partakers in the anguish and sufferings which it cost.
>
> Your words, the words of a priest, spoken at the altar of God, to hearts warmly in sympathy with the cause you advocate, will move every one to do his best in behalf of the scourged poor of Ireland. You can assure your hearers that the distress is great today and increases as the winter drags on with its added horror of unusual severity, with scant supply of seasoned fuel. The demand for immediate help is urgent; this demand will be the greater as seed time approaches, and unless private charity and aid from the government provide against the worst, famine and death will be the lot of many before another harvest comes round to relieve the stricken and destitute people.
>
> You will, Rev. Dear Sir, earnestly and with a good will, place this subject before your congregation, and on some Sunday in January give all an opportunity of fulfilling an obligation of Christian

charity and of testifying their undying love for the land of their birth by generously and with sympathetic hearts giving of their means to lighten the heavy burden and alleviate the sore distress, even unto hunger and famine, of many of this people.

The contribution received in your mission will be forwarded to the Bishops in those parts of Ireland, in which the distress seems to be the greatest. The bishops in Ireland will be the best judges of the districts most in need of help.[12]

Several days after this appeal was written, delegates of seven Catholic Men's Societies met in the rooms of the Rochester Literary Union within the Catholic Young Men's Institute building and invited the Honorable Charles Stewart Parnell and Mr. John Dillon "to address a public meeting on the way to or from Chicago."[13] The invitation was accepted, and January 26, 1880, a committee went to Buffalo to escort the two Land League envoys to Rochester, where an enthusiastic meeting was held that night in the City Hall. A contribution of $2000 was one of the practical fruits of the demonstration.[14] The next day Parnell wrote the following letter in Rochester to the Editor of the *New York Herald:*

As you have thought proper to suppress the most important parts of my remark at Buffalo in reference to the Dublin Mansion House Relief Committee, I am compelled to supply the omission by asking you to publish this note.

You first attempted to foist upon the people of the United States the Relief Committee started by the Duchess of Marlborough, but the common sense and self-respect of America revolting from your project, you now endeavor to mend your hand by lavishly advertising the claims of the Dublin Mansion House Committee, an association of a kindred character, mainly composed of government office-holders, whig and tory landlords, castle flunkies, destitute of all sympathy with our struggling people and hostile to their aspirations.

We shall be told that the presence of the Catholic Hierarchy on the Committee is a guarantee, but the fact still remains that it is mainly composed of the landlord interest and much of it of a most virulent character.

The control of this Committee also and the disposition of its funds must necessarily rest with the Dublin portion of it, since its sessions are held in that city. Hence the influence of the Irish bishops, whose names have been attached to mislead Catholic public opinion in this country and who chiefly reside in portions of Ireland remote from Dublin, will be unable to control that landlord and castle management. The Lord Mayor of Dublin, moreover, the chairman of this Committee, has already shown his bias by refusing, at the

meeting of the Irish members, to accept a resolution of sympathy with the distressed peasantry of the west. I do not wish to examine the motives of this refusal, but it is a significant fact that the passage of this resolution, in spite of the Lord Mayor, led to the refusal of the Duke of Marlborough to accept the former's invitation to dinner.

In view, however, of your persistent attempts to mislead the American people on this question, it now becomes my duty to state plainly, for the information of the charitable, that this money, if sent to the Dublin Mansion House Committee, will be indirectly used for political purposes in bolstering up an expiring and tyrannical land system, and that all aid from it will be refused to those of the starving peasantry who have actively participated in the present agrarian movement. If you wish to maintain the character for impartiality which you have assumed in dealing with our question, you will print this note in as prominent a position and with as large type as that which you have devoted to your notice of the Mansion House Committee taken under your patronage.[15]

Parnell's letter also found a place in the Rochester daily press. His reference to the Bishops in Ireland was, to say the least, most impolitic. Those very Bishops were put under a cloud, to whom, according to Bishop McQuaid's announcement, the collections in the churches were to go for distribution amongst the distressed in Ireland. Other members of the Hierarchy throughout the country were also taking up collections and making the same disposition of them. The letter helped to provoke needlessly hostility, as is evident from Bishop McQuaid's letter to Bishop Corrigan, February 3, 1880:

The collection for Ireland in this diocese will run over four thousand dollars. Parnell hurt us in Rochester, but I managed to hurt him more in a quiet way. I will hurt him yet more before I am through with him and his.

I think you blundered in allowing Father Doane to appear at the meeting in Newark. It will surprise me to learn that Parnell is not working designedly in the interest of the worst section of the *Fenian* party. I am convinced that he is in direct co-operation with Stephens, the head center of Fenianism, with headquarters in Paris and its chief center in America in the "Irish World" office. This society is in full swing in Ireland, but only the leaders are oath-bound and within the inner circle. This Stephens keeps in the dark, but works perseveringly like Mazzini and all of that stripe. As they know that secret societies oath-bound will not take with our people, they restrict membership to those who have no fear of God and keep the good people in the dark as to their

methods and plans. I have written to the Bishops in Ireland to find out, if possible, the standing of Parnell and the meaning of the "National Land League." I believe that it is manipulated by the Fenian leaders. Unfortunately for me, Purcell of the Union has gone very heartily into the movement. No priest showed himself on the platform except Lambert of the "Catholic Times" and O'Connor, both Americans. Lambert did so to be personally annoying. The circular about the Clergy Fund Society was intended for his enlightenment; it was he who wanted to have funeral expenses of priests paid out of it. If he continue his present course much longer, I will put a spoke in the wheel of his paper which he will not like.[16]

Suspicious circumstances, with the seething undercurrent of revolutionary agitation, were unavoidable even in the most open Irish movement, and Bishop Corrigan hastened to communicate what he knew. Bishop McQuaid replied in grateful acknowledgment, February 10, 1880:

Your information about Parnell is very valuable. Some of my best people have taken stock in him and feel coldly towards me for my indifference. It would not do to take public action until the evidence is cumulative and overwhelming.

Besides four letters to Bishops in Ireland already sent, I propose writing two or three more. Could you not sound the Cardinal on this subject? He might have facts to communicate which could be used without implicating him. Mr. Plunkett may also know about Parnell.

I was interviewed by a reporter, and, when I declined speaking on the subject, he told me of the interview held with Bp. McNierney who expressed himself strongly in sympathy with the Parnell movement. On my other side to the West, the Parnell demonstration was engineered by Father Cronin, Ed. of the Cath. Union. He, the Rector of the Cathedral, and one of the assistants were at the reception on the arrival in Buffalo of the great men, and were prominent on the platform. Before leaving Parnell and Dillon paid a visit to the Bishop—the only one paid to any one, so the Cath. Union took pains to tell us. While many priests of my diocese attended the meeting here as lookers on among the crowd, only two went on the platform—both American, Lambert and O'Connor.

Have you in your diocese the C. M. B. A.—the Catholic Mutual Beneficial Association of Buffalo? It is spreading. It is a species of Mutual Ins. Association with the ways and methods of Oddfellowism and Freemasonry. In my judgment, it is destined to be exceedingly dangerous. I am afraid that I shall come into collision with Bishop Ryan on the head of it. I have been patient and have notified him of my objections that he may have the objectionable features removed. If he do not, I will most undoubtedly interdict the

association in my diocese by forbidding priests to have anything to do with it. Besides its similarity with secret societies in title and ritual, its business plan is faulty to such a degree that the association will break up in a short time by its inherent defects.[17]

The ignominious financial failure of the C. M. B. A. did not come until some years after the death of Bishop McQuaid. When he received word from Ireland, he was persuaded that he had made no mistake in his opposition to Parnell and Dillon. Archbishop McHale of Tuam, who died towards the end of the next year at the age of ninety-one, wrote him—at all events, his name was signed to the letter: "I must confess that I do not much admire the gentlemen you speak of. Their principles are, to say the least of them, exceedingly dangerous. I think your Lordship's appreciation of them is quite correct."[18] On the receipt of the letter, Bishop McQuaid remarked to Bishop Corrigan, March 22, 1880: "Before long we shall see the Bishops of Ireland in open antagonism to the Land League, because it is only a machine in the hands of the condemned Fenian Society. The policy of caution and a wise holding aloof is the right one for us."[19] Bishop McQuaid was mistaken here on more than one count. A letter published in Ireland against the new agitation, also with the signature of the Archbishop of Tuam, moved Mr. Lowden then to write to the papers, and later to give testimony in the witness-box that the letter could only have been written by the Archbishop's Tory nephew on vague instructions from his uncle, who was a Nationalist, but was then in his dotage.[20] Bishop McQuaid later frankly confessed that the Irish Hierarchy generally supported the Land League in its original program. Even at the time, public news from Ireland tended to correct an error in judgment.

Whatever was the character of some of Parnell's associates, irreconcilable Fenians attacked him and his friends during the general elections of 1880, for which he was forced to return hastily to Ireland on the dissolution of Parliament.[21] This resort to physical force was all the more significant, as Lord Beaconsfield had made opposition to Home Rule one of the main issues of his campaign. Parnell, who had even been pelted with rotten eggs at Enniscorthy, was returned for three constituencies, but chose to sit for Cork City. When elected chairman of the Home Rule party, he could count upon 65

professed Home Rulers out of 103 members returned by Ireland.[22] The Liberal victory at the general elections meant the fall of Lord Beaconsfield. Gladstone, who headed the new Liberal Government, had also denounced the party of his predecessor, in his appeal to the electors, for endangering the union with Ireland by having "maintained there an alien church, an unjust land law, and franchises inferior to our own."[23] Some relief for certain dispossessed Irish tenants was offered in the Government's Compensation for Disturbance Bill, but it was vehemently opposed by Conservatives in the House of Commons and summarily rejected by the House of Lords. Gladstone himself later branded this action as a "wild excess of landlordism," from which the rapid and vast extension of agrarian disturbance followed, as was to be expected.[24] Archbishop Croke of Cashel boldly denounced the Lords, at the same time that he commended the good will of the head of the Government, in a characteristic letter to Father Ryan, August 10, 1880:

> It is well, I think, to let the hereditary legislators of England know what we in Ireland think of their lordships' latest manifestation of hostility against us. It is well also, it is fit and proper, that Tipperary should take the initiative in the matter by sounding the first note of defiance and denunciation, and by furthermore proclaiming the people's resolve to live in the land in which they were born, and be fed together with their families, out of the produce of the fields, which they, and they alone have tilled and toiled upon and rendered fruitful. "The husbandman that labors," says St. Paul (2 Tim. ii. 6), "must first partake of the fruits."
>
> "No," says the English House of Lords, "St. Paul was wrong in that, and obviously Socialistic in his teaching, for the rent must be paid first, however ill it may fare with the husbandman, and, as certain dangerous theories to the contrary are being propounded nowadays by irreligious men, we wish by this one overwhelming vote to have it made known to them and to the empire that even for an hour we will not part with any of the chartered privileges of our class, and that consequently our wretched Irish dependents may now, as ever, be mercilessly flung out by us on the roadside, because they cannot possibly manage at one and the same time to pay us our rent and preserve their families from perishing."
>
> There is, besides, a grave constitutional question now at stake; that question will, no doubt, be dealt with at the proper time and in the proper place.
>
> The great statesman, now happily convalescent, who stands at the head of her Majesty's Ministers, and whose good will to Ireland

has been abundantly made manifest, will see in due course that the voice of the people's representative shall not be trifled with or set aside. For the rest, I feel assured that the men of Tipperary will state their views at Wednesday's meeting plainly and fairly, without bluster or exaggeration, or the senseless parading of any fanciful theories; and, above all, that they will give no pledge or promise which they are not prepared, at all hazards, manfully to redeem.[25]

The letter attests how closely the Church was in touch and in sympathy with the people in the Archdiocese of Cashel. This was generally the case also elsewhere in Ireland. Thus, Bishop McCarthy of Cloyne, speaking as early as September 30, 1880, to his clergy, expressly declared "that it has ever been a principle of action with the priests of this Diocese to go with the people as far as they legitimately could in all their struggles to assert their rights or redress the wrongs of their country." As the people themselves recognized this, the Bishop knew that the people would look to them "for guidance and direction in the present crisis through which our country is passing—a crisis fraught with consequences of great good or evil, according as it is used." On the eve of his departure for Rome, Bishop McCarthy thought it best to have his priests "come to some collective decision as to the course it would be most desirable for us to take under the circumstances, so that individual priests may be spared the necessity or responsibility of taking isolated action when called on by members of the League to preside at or attend public meetings called by that body in their parish." Bishop McCarthy felt that this was all the more necessary because of "the unsound theories and dangerous and inflammatory utterances" of many prominent members of the Land League, who condemned landlordism as a thing intrinsically bad and wrong in itself, when they should have confined themselves to the denunciation of bad landlordism, "for this I believe has been the bane of our country, the fruitful source of crime by which it has been stained and the cause of the backward condition of our farming classes, owing to a sense of insecurity and dread of confiscation which it has created in the minds of our farmers." To attain his purpose, the Bishop laid before his priests a set of resolutions for their acceptance, rejection, or amendment. After some debate, the priests unanimously adopted them,

resolving "That we are of opinion that the fundamental principles, on which legislation for the improvement of the land code for Ireland should be based, are:

1. That lands for the future should be let at fair and reasonable rents, such rents to be determined by arbitration where necessary, or by a valuation made by a competent tribunal properly constituted.
2. Fixity or security of tenure as long as such fair rents or rents similarly determined to meet the varying circumstances of the times shall be paid.
3. The tenant's free and unrestricted right of sale of the interests in his holding under all circumstances.
4. The affording of every possible facility to the tenants to become peasant proprietors by the purchase of their holdings.
5. The passing of a measure for the reclamation of waste lands for the purpose of locating on them peasant proprietors.
6. The improvement of the condition of the laborers of the country by making it obligatory on landlords and farmers to provide them with comfortable cottages, to which in every case a reasonable portion of land should be attached.
7. We, the priests of Cloyne, assembled in diocesan meeting, pledge ourselves to use every effort to have the foregoing resolutions embodied in any legislation that may be proposed for the settlement of the land question, and to co-operate to the full extent of these resolutions, but no further, with any organized body that has for its aim such effective settlement by legitimate and constitutional action.
8. Being convinced of the sincere desire of the present Government, emphatically expressed by its leading statesmen, to regulate on just and equitable principles the relations between landlord and tenant in Ireland, and of the importance to them as the basis of such legislation by the Land Commission lately appointed, we are of opinion, though justly dissatisfied with the constitution of the Commission, that it would be for the interest of the tenants to supply them with the information they seek; and we, therefore, recommend our farmers who may have useful information to give, to tender it to said Commission.
9. We are also of opinion that, as a necessary preliminary to the practical settlement of the Land question, the law of primogeniture and entail, and other legal obstacles to the free transfer of land, should be entirely abolished, presenting, as they do, an almost insuperable obstacle to the creation of a peasant proprietary.[26]

Archbishop McCabe of Dublin, October 4, 1880, commended to his clergy the good example of the Bishop and priests of the Diocese of Cloyne as worthy of imitation; for, with a plan of action that "God can bless and the Church of

Ireland adopt....the grand old scenes will be witnessed again in the land—the bishops, priests, and laity of Ireland joined in demanding justice." He pointed out that heretofore "many good priests have joined the organization already existing, but the vast majority have held aloof, not for want of good will to throw themselves into the people's rank, but from fear of the principles by which the movement is now governed." For them as well as for himself, it was required not only that the work to be engaged in be good, but also that the means employed for its accomplishment have the sanction of Eternal Justice. Land law reform was the good work to be accomplished, and Archbishop McCabe fully recognized the need of it: "The periodic famines with which our people are continually threatened, the insecurity of their land tenure, which paralyzes the most industrious hands, and the wretched condition of thousands of families, whose domestic arrangements might test the temper of a Slave Coast African—all proclaim that our land laws require a prompt and thorough revision." While the Archbishop knew of numerous good landlords in the country, "whose dealings are marked by justice and kindness," he also knew of many "who under the pretext of asserting their just rights, arm themselves with all the power which harsh laws place within their reach, the result being that misery and fierce hatred reign supreme around them." Despite the action of the House of Lords, he also looked to the Government for the hand to blot out "those odious laws that constitute the charter of oppression," in as much as "the management of public affairs is now placed in the hands of men who seem to have the most abundant good will to redress the wrongs of the country, as far as a Government can accomplish such work. Guarantees for the sincerity of their good wishes are furnished by their antecedents; their determination to carry on the administration of affairs in Ireland by laws in harmony with constitutional liberty has been made manifest. They have repudiated the idea of coercion." Convinced of the truth of this, Archbishop McCabe protested against leaders of the people who proclaimed "that they would render the country unfit for constitutional liberty by making it ungovernable by constitutional means" who propounded "schemes of amelioration.....that no government

laying claims to statemanship could for a moment entertain." He, finally, asked his priests to pray to Mary, the Seat of Wisdom, that "she may obtain for our rulers the wisdom they require," but he feared lest, "while these prayers ascend to the throne of the Mother, another terrible voice is heard challenging the attention of the Eternal. Our unhappy country has, within a few months, drank deeply of the blood of her own children. That blood must call for vengeance.....not only against the hands that made it flow, but against us all, if we fail in abhorrence of the crime." Failure, on part of public speakers, to rebuke murderous outcries against the erring landlord they described made Archbishop McCabe hold up the rule of the great man who liberated his country, namely that the man who committed a crime gave strength to the enemies of his country, as these were not slower now than they were then "to turn these dark crimes into arguments against the cause of justice."[27]

Efforts were, in fact, made to represent the whole commotion in Ireland as a question between the friends of order and anarchy. Reuter's and the Ordinary Telegraph even carried a dispatch from Rome that the Pope for that reason disapproved of the agrarian movement and really wished to assist the British government, except that "it might be looked upon as improper interference." This was represented to be the Pope's attitude despite the fact that "the Irish Bishops have in social conversation in Rome not been reticent in describing Mr. Parnell as a great benefactor to Ireland." Archbishop Croke, who was in Rome at the time, wrote to the *Dublin Freeman,* November 17, 1880, that, with the exception of the compliment paid to Parnell by the Irish Bishops, every statement in the dispatch was "utterly, absolutely, and notoriously untrue."[28] Leo XIII, together with the Propaganda, had given generously to Irish Famine Relief of diminished and overtaxed resources. Then, June 1, 1880, he had taken care to have opportune admonitions given to the Irish Bishops, for them to enjoin upon the Irish People obedience to their prelates and the observance of duty in everything. Later, when Irish Bishops came to Rome to visit the tombs of the Apostles, he expressed every good wish in behalf of the Irish, adding, however, that it was not permitted to disturb public order,

and that this policy, in theory and in practice, was wholly in conformity with the laws of the Catholic Church and for the best interest of Ireland. Leo XIII also had confidence "in the justice of the men who are placed at the head of the State" and combine, for the most part, great practical experience with prudence in civil affairs, so that "Ireland may obtain what she wants much more safely and readily if only she adopts a course which the laws allow and avoids giving causes for offence." When Archbishop McCabe was received in audience by Leo XIII, the prelate, who accompanied him, made the following memorandum at the time:

> At the audience which His Holiness was pleased to grant to His Grace, the Most Rev. Dr. McCabe, on Friday, December 17, he again expressed his intense regard and affection for Ireland, and his gratitude for the generous attestations of her attachment to the Chair of Peter and to himself which he continually receives. It is this, his great regard and affection for his Irish children, that makes him so anxious on account of the present state of things there. Hence, he requested that his Grace, the Archbishop, should recommend all his suffragans to inculcate on the minds of the people their obligation of guarding against being led into any illegal or unjust acts, to caution them "as you have done" (addressing himself more especially to his Grace), against any course that is not approved of by our holy religion. His Holiness did not in any way disapprove of the people seeking by legitimate and constitutional means the redress of their grievances, but he said "that in the present agitation, as it is carried on, there are certain things done which I cannot approve of." The people, he said, should be duly impressed with the duty of keeping always within the bounds of law and religion.

The Pope, who had seen the Archbishop's letter to his clergy and people, commended him for the opportune advice he gave when Ireland was "deeply moved, partly by a desire of better things, partly by fear of an uncertain future." A few weeks later Leo XIII wrote the same Archbishop to direct efforts, together with his colleagues in the Episcopate, "to the end that the people of Ireland in this anxious condition of affairs do not transgress the bonds of equity and justice."[29] The receipt of this papal letter was duly acknowledged by the Archbishop of Dublin in the name of the entire Irish Hierarchy:

> The Bishops of Ireland, assembled in Maynooth College to transact business connected with its administration, deem it their duty

to approach your Holiness with the expressions of love and reverence which have always animated the Irish Episcopate towards the Apostolic See, and to thank your Holiness for the fatherly letter which you have lately addressed to them through the Archbishop of Dublin.

It is needless to assure your Holiness again that every word of counsel and advice coming from the successor of Peter will always receive a cheerful and prompt obedience from the children of St. Patrick; for, deepest devotion to the Holy See is Ireland's special glory, and the proudest page of our history is that which records the unconquerable firmness and constancy with which our predecessors preserved, amid the fiercest storms of persecution, an unbroken union with the successor of Peter. That the love of the Father has equalled the devotion of his children is fully attested by the vigilant and truly paternal care, with which the Sovereign Pontiffs have in every age constantly watched over the interests of our country.

The iniquitous and destructive legislation, which for centuries has been rending Ireland, has brought the flocks placed under our care to the greatest want and misery. Famine periodically sweeps over our fairest districts, which naturally teem with abundance, and are fertile in the highest degree; and frequently our country has been driven to stretch out her hand for alms and sue, like a mendicant, for help from the other nations of Christendom. These repeated misfortunes must not be impiously attributed to the Father of Mercies, for He has given us a land fertile to a proverb. They must not be attributed to the sloth or indolence of our people, for the Irish in exile are everywhere models of unwearied labor and devoted industry. But they must be attributed to the unjust laws which at home have paralysed the strong man's arm, and, through an absolute sense of insecurity, have made him apathetic and hopeless.

At present the Irish nation, rising from its lethargy in strength and power, demands the repeal of the cruel laws which oppressed her, and we earnestly pray that God may bless this just struggle and bring it to a happy issue and the desired result. We must not, however, conceal the fact that, although the cause is most just in itself, occurrences and utterances, which all deplore, have from time to time cast a shadow over it. But, whilst we rightly denounce these crimes and regard their perpetrators as the most dangerous enemies of the country, we cannot forget the ages of oppression and misery which have driven our people to despair of justice and equity.

Whilst, therefore, we give our heartfelt approval to the end proposed to be obtained by the present agitation for a change in the Land Laws, we feel that certain means have been employed towards the attainment of this end which we cannot sanction. Hence, even in June last, assembled in council, we advised and warned our flocks against the dangers which threatened their cause,

> and we strove to confine the agitation within the limits of equity and moderation. We will not be wanting in our duty now, nor will we fail to obey the counsels of your Holiness.....
>
> At the same time, Most Holy Father, we cannot ignore the fact that in certain journals, which are published in England, many statements are made which are based only on lies and calumnies and are most unjust to our clergy and people. We earnestly beg of you, Most Holy Father, to give no heed to those enemies of our faith and race.[30]

One of the main means adopted to attain the desired reform in the Irish land code was boycotting, as the practice came to be called from its first important victim, Captain Boycott. This was advised September 19, 1880, by Parnell at Ennis against landlords who refused to accept reduced rents and dispossessed tenants offering them, also against tenants who paid the high rents or occupied evicted lands. Any one of these was to be put "into a kind of moral Coventry, by isolating him from his kind, as if he were a leper of old; you must show him your detestation of the crime he has committed." Parnell was confident of the political effect of this effort to reduce obnoxious landlords and land-grabbing peasants to reason, as he informed his hearers: "Depend upon it, the measure of the Land Bill next session will be the measure of your activity and courage this winter."[31] The successor of Archbishop McCabe, Dr. Walsh, maintained in Court later that boycotting, without intimidation, as a form of exclusive dealing, of persons who profited by unjust evictions, was not a crime, but a means of preventing crime.[32] The Government, however, made the agrarian disturbances in Ireland the grounds upon which to try Parnell, Dillon, and others of the Land League Executive for seditious conspiracy. The trial commenced in Dublin, December 28, 1880, and ended January 25, 1881, with the discharge and virtual acquittal of the accused, the jury standing ten for acquittal and two for conviction.[33] Exceptional legislation was also thought necessary to deal with the situation, and the day before the trial ended Chief Secretary Forster sought leave to introduce two bills in Parliament, one for the Protection of Persons and Property and the other for Peace Preservation. The first of the two was a Coercion Bill that vested the British Viceroy in Ireland with arbitrary power to arrest and imprison suspects while

the act remained in force. Despite obstructive tactics of the Irish party, the Speaker put the question on his own responsibility, January 31, 1881, after a continuous session of 41 hours. New rules of procedure were now proposed, and the opposition was cut short when Parnell and his followers were forcibly ejected by the Sergeant-at-Arms. The coercion act became law March 2, 1881. Gladstone later excused his acquiescence in this measure with the plea that resistance would have broken up the government and involved his own retirement while pledged to reconstruct the whole spirit and effect of England's foreign policy: "This work had not yet been fully accomplished, and it seemed to me that the effective prosecution of it was our first and highest duty." He threw the whole responsibility later upon the Chief Secretary:

> Forster allowed himself to be persuaded by the governmental agents in Ireland that the root of the evil lay within small compass; that there were in the several parishes a certain limited number of unreasonable and mischievous men, that these men were known to the police, and that if summary powers were confided to the Irish government, by the exercise of which these objectionable persons might be removed, the evil would die out of itself. I must say I never fell into this extraordinary illusion of Forster's about his "village ruffian." But he was a very impracticable man placed in a position of great responsibility. He was set upon a method of legislation adapted to the erroneous belief that the mischief lay only with a very limited number of well known individuals, that is to say, the suspension of the Habeas Corpus Act.[34]

A storm of indignation at this act of tyranny also arose in the United States of America. Here an auxiliary Irish National Land League had been organized in support of the movement in the Home-land. The cradle of the American association was the City of Rochester, New York, a fact duly noted by Davitt, Egan, and others when they spoke there on tours throughout the country.[35] At a meeting of Irish Americans in the rooms of the Rochester Literary Union in the Catholic Young Men's Association Building, February 1, 1880, the Irish National Land League Relief Association for Monroe County was formed with William Purcell, President, Patrick Mahon, Secretary, and Patrick Cox, Treasurer. Almost the first act of the Society was to frame and issue the following circular, which was sent to over four hundred Irish Societies:

Whereas, The citizens of the United States of Irish birth and descent have for many years celebrated St. Patrick's day and Emmett's birthday at a large private and public expense, and

Whereas, Famine now rages over the fair fields of Ireland, and its inhabitants, who are our kindred, cry aloud through their National Representatives, the Irish Land League, for food to avert starvation and for moral support to destroy the accursed system of laws which, by the aid of English misrule, keeps an entire nation in perpetual poverty; therefore

Resolved, That all citizens of Irish birth and descent be recommended to celebrate the coming anniversaries, March 4th and 17th, 1880, by a subscription of at least one dollar each, for which each person so subscribing shall receive in acknowledgement a suitable memento, certifying his membership in an Association to be named "*The Irish National Land League Relief Association of the United States.*" Such money to be sent with all other subscriptions received upon the aforesaid anniversaries to Drexel, Morgan, and Company, New York, for the relief of the Irish sufferers by the famine, and acknowledged in the press. And that this Association correspond with the Irish Societies throughout the United States, inviting co-operation and similar action in every village and city of the country.

Resolved, That these resolutions be sent for publication to the Rochester papers, the Boston Pilot, Irish World, Western Catholic, Chicago Catholic Sentinel, Buffalo Catholic Union, and the Waterloo Catholic Times.[36]

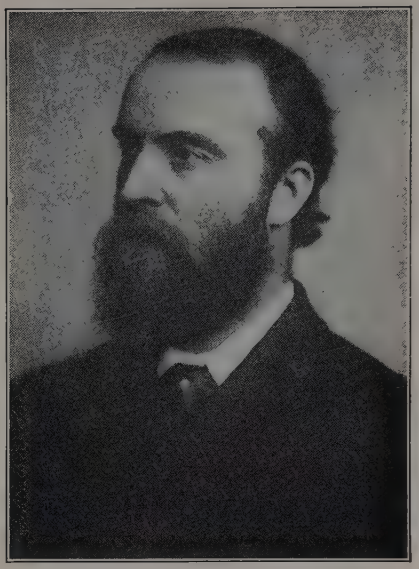
The movement thus initiated at Rochester was taken up elsewhere, and finally grew into the national organization recommended for this country by Mr. Parnell before leaving New York early in March. The work of consolidation was done in a convention at New York, May 18 and 19, 1880, where there were elected J. J. McCafferty of Lowell, Mass., President; Wm. Purcell of Rochester, Vice-President; the Reverend Lawrence Walsh of Waterbury, Conn., Treasurer, and Michael J. Davitt, Recording Secretary. The resolutions, offered by John Boyle O'Reilly and unanimously adopted, went beyond Parnell's Land League agitation, as is evident from the concluding words: "While prepared to aid the Irish Land League to the utmost of our ability, we desire to place on record our conviction that the kindred interests of manufacturing, mining, fisheries, and commerce have also been prostrated by deliberate and wickedly selfish restrictive legislation and that poverty must remain the normal condition of the Irish people until they regain the power to regulate and protect their interests."[37] As in Ireland, so also in America,

the Catholic Church took due cognizance of the movement. Archbishop Williams and his clergy, in an address to the Irish Hierarchy adopted at a Diocesan meeting in Boston, January 25, 1881, expressly declared: "We are friendly to any movement that is founded on correct principles, tending to redress the grievances of the people of Ireland, and feeling in this crisis in the history of land law reform that the principles laid down in the platform of the Land League Convention in Buffalo, N. Y....., are justified by religion and morality, we extend our earnest and heartfelt sympathy and co-operation to all those who are laboring in such a just and righteous cause as long as they are guided by these principles." At the same time the Archbishop and his clergy did not "hesitate to denounce as pernicious and infamous the conduct of certain supposed emissaries of secret societies who seek to infuse into this movement a spirit of injustice and a disregard for the laws of morality as expounded by the Catholic Church."[38] Following this example, the Quarterly Conference of the Newark Diocesan Priests, in the presence of their former Bishop, then Co-adjustor Archbishop of New York, Dr. Corrigan, February 9, 1881, in their address of congratulations to the Irish Hierarchy for strenuous support of constitutional agitation under Charles Stewart Parnell and Michael Davitt, also expressed their entire approval of "the spirit which guides this organization and the principles it stands upon, as enunciated in the resolutions of the Land League convention recently held in Buffalo, N. Y." There priests pledged "unwavering determination to aid.....by the voice, by the pen, and by the purse."[39] Less than a month later, in the great meeting held in the City Hall of Rochester, March 4, 1881, to protest against the coercion tyranny authorized by act of British Parliament, Bishop McQuaid's voice rang out with unsurpassed eloquence:

> It is a large audience which gathers here this evening, and were it the only one in the world for the same cause, it would not be without great results. But as one of many held in the world by men of strong minds, clear intellect, brave hearts, free speech, meetings like this possess in this nineteenth century power that cannons and bayonets cannot break down. It is a power to be found in the courage and generosity of multitudes, feeling deeply the sufferings of men in a land, dear to us by all those associations

(*Reverse of Medal.*)

THE LAND LEAGUE BADGE AND MEDAL



CHARLES STEWART PARNELL
B. June 27, 1846
D. October 6, 1891

MICHAEL DAVITT
B. May 25, 1846
D. May 31, 1906

that gather around the land of our ancestors. The power that is in words, in sentiments, in opinions reaches beyond the ocean and has its effect. What is this meeting and who are gathered here? You have heard the names read of different nationalities, religions, and ranks in life. The chief magistrate of the great city of Rochester, representatives of the bench, bar, and pulpit, men differing widely on many questions, but on this one of raising the voice of angry indignation against one of the greatest wrongs done in this day on a poor people, they come to give expression to what is in the mind and the heart, and those expressions, gathered up and sent across the ocean, will have an effect on haughty, strong-headed England.

There are two purposes in the meeting. We are first of all to reach the American mind in the proper way. Our question is one that we can fearlessly bring before the American people on that one law: "Do unto others as you would have them do to you." Those of the Irish race reach out their hands to their fellow-citizens of other blood, and in the name of a common humanity, in the name of the rights we have, ask them to stretch out their hands to those who, in another land, are making an effort to achieve their liberty. Educate the American to the truth of the subject and ask him, Would he here tolerate for a moment the wrongs the Irish people suffer in Ireland? I speak as an Irishman, born in this country, and address Irishmen as an American. I entreat you in all your addresses to be composed, reasonable, just, fair. The American people have no correct understanding of the condition of things in Ireland. The Land League should bring this question before the American people with arguments and strong facts, and when they find that right and justice are with you on the side of the League, they will stand by it to a man. Then we shall find the American people more Irish than the Irish themselves.

* * * *

The second object of the meeting is to get sympathy with the Land League and to protest justly and strongly against that most tyrannous measure, the coercion bill. I have seen nothing in the acts of the Land League here in Rochester, or in the United States, or in Ireland, to which I cannot give my hearty approval, except perhaps the intemperate language of some. The great work of the League should not for this reason be stopped any more than a beautiful ship should stop her ocean course, because barnacles attach themselves to her side. Only if the Land League should proceed to measures forbidden by the principles of justice and morality, shall we be compelled to abandon its support. I say, let the League go on its course of mercy and justice; let it raise its voice to cheer those who in the old land, so clearly to us, are entering upon a struggle for existence; let it so work, and the blessing of God will be on it in every quarter of the globe.

> The coercion bill gives the power to arrest any man on reasonable suspicion that he is going to do something that will not be liked, and this is liberty in the nineteenth century. The bill will have one effect that cannot hurt Ireland; it will show America that free speech is no longer possible in Ireland. I hope that the men in Ireland will continue to speak until the jails are full, and when no more men can be found, let the women begin. When the mighty army of England attacks women, then will go forth from America a shout of indignation that will enter Windsor Castle till she who is Queen of England shall blush for shame.[40]

Bishop McQuaid here called for greater agitation on the part of Irishwomen than was even entertained in the address issued by the newly established Ladies Irish National Land League. In view of the proximate coercion of "the trusted, energetic leaders and organizers of the Irish National Land League" through imprisonment, the honorary secretaries, Anna Parnell, Anne Stritch, Nannie Lynch, and Harriett Byrne, February 3, 1881, invited their countrywomen to form themselves into branches of the Ladies' Irish National Land League: "Be ready to give information of evictions in your districts, to give advice and encouragement to the unhappy victims, to collect funds, and to apply those which may be entrusted to you as emergencies arise. You will probably have to administer the money collected in Europe and in that great Western Republic where millions of our race have been exiled and scattered by those inhuman Land Laws with the results of which we have now to cope." Bishop McQuaid had read this address in the *Weekly Register* of London, February 12, 1881. Unlike Bishop McQuaid, Archbishop McCabe refused to allow Irishwomen "to take their stand in the noisy arena of public life," called upon his priests not to tolerate in their sodalities "a woman who so far disavows her modesty" under the "flimsy" pretext of charity, and denounced this "attempt at degrading Irishwomen" as coming "very appropriately from men who have drawn the country into its present deplorable condition,.....who have sent their agents to fawn on notorious infidels and revolutionists, and who to escape the odium of their act abuse the Christian politeness of the most venerable prelate and illustrious soldier of France—Cardinal Guibert, Archbishop of Paris, and Marshal McMahon."[41] When Mr. A. M. Sullivan, M. P., whose wife's

virtue was also thus assailed, "stepped forward from the ranks of the laity to vindicate the character of the good Irish ladies who have become Land Leaguers, and to challenge publicly the monstrous imputations cast upon them," Archbishop Croke of Cashel congratulated him very heartily on his temperate and withal touching letter, and expressed his opinion that the Archbishop of Dublin would "not be allowed in future to use his lance so freely as he has hitherto, or to ventilate unquestioned the peculiar political theories which he is known to hold in opposition to the cherished convictions of a great and indeed overwhelming majority of the Irish priests and people."[42] Archbishop Croke's letter was dated March 17, 1881, and so in no way influenced Bishop McQuaid's call to Irishwomen to speak for Ireland, if the voice of Irishmen was silenced by imprisonment under the tyranny of the coercion act. His speech met with enthusiastic applause, and the resolutions voted in protest at the meeting met, in every detail, the requirements laid down in Bishop McQuaid's words:

> Whereas, There has for centuries prevailed in Ireland a feudal system of land tenure under which a comparatively few monopolize the soil and hold the masses of the people, to whom agriculture is the only industry open, in subjugation as a dependent and defenseless tenantry, certain to be overtaken by want and famine in case of the failure of a single year's crop.
>
> And, Whereas, One of the chief consequences of the impoverishment of the Irish people under this barbarous system is a constant drain of money from the pockets of millions of citizens of the United States, who are the kith and kin of the sufferers, varied periodically in seasons of extraordinary distress by draft, in some instances semi-officially made by representatives of the British Government, upon the generosity of the whole American people for aid that has never been denied, but that has always gone indirectly to pay a premium upon the cause of the woe sought to be alleviated.
>
> And, Whereas, The Government of Great Britain and Ireland, by reason of its refusal to abolish the feudal system of land tenure and establish a people's proprietary instead, as other governments in Europe, more despotic in form if not in fact, have done, and as the present British Premier, Mr. Gladstone, has frequently declared it is within the province of the British Government to do, is responsible for the great evil that afflicts the Irish people.
>
> Therefore, in view of these facts, it becomes not only the right of the American people to protest in the name of humanity against such misrule and oppression, but their duty in self-interest to

demand that the Irish in Ireland shall be freed from the thraldom of the existing land system, and enabled, by opportunity of purchase, to become owners of the soil they cultivate and enjoy the fruits of their labor.

Resolved, That the Irish people are fully justified in organizing and carrying on the peaceful agitation in which they engaged for the reform their situation demands, and in resorting to every lawful means within their reach to wring from their unwilling government the relief sought.

Resolved, That the Irish National League, under the patriotic and fearless leadership of Charles Stewart Parnell, has championed and sustained the people's cause in a manner worthy of all approbation and entitling it to public confidence.

Resolved, That the course of the Irish Government in answering the just demands of the Irish people by act of coercion—by an *ex post facto* act, which constitutes the British viceroy in Ireland a very Despot, backed by the guns and bayonets of an army of occupation, is a brutal prostitution of the powers of legitimate government, which deserves the severest reprobation of the civilized world.

Resolved, That the summary arrest and incarceration of the Irish patriot, Michael Davitt, a political prisoner of former years on parole, after the government had in vain prosecuted him in its own courts for alleged violation of law, was a cowardly and cruel proceeding which merits universal indignation and scorn.

Resolved, That the people of Ireland are urged and encouraged to bear themselves bravely, unitedly, and perseveringly under the coming trials of coercion and eviction, and are assured of the sympathy and support, so far as they can be lawfully extended, of the liberty and justice loving people of the United States.

Resolved, That the Secretaries of this meeting be directed to forward, for publication, a copy of its proceedings to each of the leading public journals of England, Ireland, and Scotland and that the President be requested to cable Mr. Parnell a brief summary of its action.[43]

Before the blow of coercion really fell upon Parnell, a Land Act was passed. It had been introduced into Parliament, April 7, 1881. Mr. Gladstone explained that it contained certain new provisions of great importance to every landlord and tenant in Ireland: "The increase of rent will be restrained by certain rules; in the second place, compensation for disturbance will be regulated according to different rates; and in the third place, the right to sell tenants' interests will be universally established. There will also remain to the tenant liberty to apply to the Court for a judicial rent, which may be followed by a judicial tenant-right, to exist for a stat-

utory term of fifteen years."[44] The Bill, furthermore, provided for loans to tenants to purchase their holdings on easy terms and for the purchase by the Land Commission or Court of estates to be divided up and resold to peasant proprietors. Much of this went beyond the three F's, and at first sight the Bill might seem to conform with the desires of the Irish Bishops, who, while "charged by Almighty God not only with the guardianship of the faith and morals of our flocks, but also with the poor and oppressed of our flock," had in their meeting at Maynooth College, January 25, 1881, "deprecated all faltering legislation on this vital question."[45] After due consideration, individually and in general meeting, they, however, deemed it their duty to recommend eighteen alterations as necessary in the details of the Bill in order to effect a permanent and satisfactory settlement of the Irish Land Question. When they communicated these to Gladstone, April 26, 1881, they, nevertheless, recognized "in its leading principles an honest and statesmanlike purpose of settling, on a solid and equitable basis, the relations of landlord and tenant in Ireland." Three days later Gladstone declared himself sensible, together with his colleagues, "of the weight attaching to any representation on a great Irish question from a body so intimately associated with the history, the feeling, and the interests of the people," but he informed the Irish Bishops that the Government could not "hold out the expectation of their acceding to any changes which would give it a new character."[46] Even before the Bishops wrote to Gladstone, the National Convention of the Irish Land League in Dublin, voted the following resolution by a large majority:

> That, it being evident that the Land Bill now before us fails to give effect to the admittedly just principles of the Irish National Land League, the Convention re-affirms the fundamental objects of the League—first, to put an end to rack-renting, eviction, and landlord oppression; and, second, to effect such a radical change in the land system of Ireland as will put it in the power of every Irish farmer to become the owner on fair terms of the land he tills; that we decline to make this Convention responsible for the measure of the Government in its present shape; and we doubt whether by any amendment it is possible to render the Bill acceptable to the Irish people. However, in the event of its reaching the committee stage, we would recommend the members of the Irish Parliamen-

tary party to direct special attention to the rejection of the emigration clause, and to the absence of any provision for the laborers, and to use their exertions to carry into effect the other amendments suggested in the report of the executive of the League, and such others as may be found necessary to give effect to the principles of the National Land League. Failing adequate success in this effort, we unhesitatingly recommend the rejection of the Bill. And further, in any case, we solemnly pledge ourselves, to one another and to the Irish race all over the world, to continue the struggle for the complete emancipation of the tenant farmer.[47]

When the Bill became law, receiving the royal assent, August 22, 1881, it was not clear of defects. Nevertheless, five days before this, Archbishop Croke, at a meeting in Charlesville, had no hesitation in saying: "If the Bill be substantially what it was, when presented to the Upper House by Mr. Gladstone and his colleagues, I would strongly recommend the people to give it a fair trial."[48] Bishop Thomas Nulty of Meath, who called it "an essentially incomplete measure of justice", also thought it "fully entitled to a fair trial" because of the many splendid principles it contained. He, however, wrote Parnell, September 2, 1881: "I can see no solid grounds for that fervid, enthusiastic outburst of national gratitude to which the Government would seem to lay claim for passing it.....The true spirit of the Government in relation to this Bill and the real character of the feelings, to which it justly entitles them, are unmistakably seen in the fact that they still persistently persecute the men who, under your guidance, have put them under the necessity of passing it. They have filled the jails of the country, not with the 'dissolute village tyrant,' but with many of the most distinguished, the most eloquent and patriotic advocates of the tenant farmers' claim."[49] Nevertheless, the National Convention of the Land League, which was opened in Dublin, September 15, 1881, under the Presidency of Mr. Parnell, decided to test the Act by submitting to the Land Commission or Court select cases for the reduction of rents.[50] The intention was to select cases of an average character, where rents were neither very high nor very low, so as to have the Court, which would be anxious to create a favorable impression amongst tenant farmers, establish a low rather than a high standard of rent. Parnell himself outlined this plan of action in speaking at a Land Convention in Maryborough, September 26, 1881.[51] Two days

later, at Maynooth, seventeen Bishops of Ireland, including neither Archbishop Croke nor Bishop Nulty, adopted the following manifesto:

> Influenced by the same deep solicitude for the welfare of their flocks which moved them, at their last general meeting in April, to solicit the Government to amend the Land Bill which was then before Parliament, the Bishops of Ireland consider it their duty to declare at the present meeting that the new Land Act is a great benefit to the tenant-class, and a large instalment of justice, for which the gratitude of the country is due to Mr. Gladstone and his Government and to all who helped them to carry the measure through Parliament.
>
> The Bishops earnestly exhort their flocks to avail themselves of the advantages derivable from this Act, believing that if rightly used it will bring present substantial benefits and help them to obtain their rights, social and political, which they justly claim.
>
> The Bishops would also urge the tenant-farmers to use the means provided in the Land Act, and every other means in their power, to improve the condition of the laboring-class.
>
> The Bishops avail themselves of this opportunity to call on their clergy to guard their flocks against all secret agencies of violence and intimidation, which can only come from the enemies of the people; and appeal to the laity to prove the love they bear their country and faith by seconding the clergy in the suppression of all anti-social and anti-Catholic abuses, and also in removing, as far as it lies in each one's power, the stigma which our enemies have sought to cast upon the people, that they will not pay their just debts which they are bound to do.
>
> The Bishops unite with the people in urging on the Government the release of those who are still imprisoned under the Peace Preservation Act, hoping that such a measure will contribute not a little to the peace of the country.[52]

At a great reception in Leeds towards the close of the first week of October, Gladstone found many signs of encouragement, especially in the pronouncement of the Roman Catholic Bishops, "for many generations the habitual and trusted advisers of the people," but he violently denounced Mr. Parnell, "with his myrmidons around him in his Land League meetings in Ireland," for instructing the people not to go into the Court, which Parliament has established to do justice, until his test cases have been decided. He accused Parnell of dishonest intentions: "We are convinced that the Irish nation desires to take free and real advantage of the Land Act, but Mr. Parnell says:: "No, you must wait until I

have submitted cases, until I tell you whether the Court that Parliament has established can be trusted." Trusted for what? Trusted to reduce what he says is £17,000,000 a year of property to the £3,000,000, which he graciously allows. And when he finds it is not to be trusted for that—I hope in God, gentlemen, it is not to be trusted for any such purpose—then he will endeavor to work his will by attempting to procure from the Irish people a repudiation of the Act." Gladstone, therefore, gave warning "that the resources of civilization are not yet exhausted. I shall recognize in full, when the facts are ripe—and their ripeness is approaching—the duty and responsibility of the government."[53] The practical meaning of this rhetoric was shown to be the imprisonment of Parnell in Kilmainham goal six days later as a "suspect" under the coercion act. Several of his colleagues were lodged in the same place. This step was a bad mistake on the part of the Government. Not less so was the following manifesto to the Irish People, read at the usual meeting of the Land League in Dublin, October 18, 1881:

> Fellow countrymen:—The hour has come to test whether the great organization built up during years of patient labor and sacrifice, and consecrated by the allegiance of the whole Irish race the world over, is to disappear at the summons of a brutal tyranny. The crisis, with which we are face to face, is not of our making. It has been deliberately forced upon the country, while the Land Act is as yet untested, in order to strike down the only power which might have extorted any solid benefits for the tenant farmers of Ireland from that act, and to leave them once more helplessly at the mercy of a law invented to save landlordism and administered by landlord minions. The executive of the Irish National Land League, acting in the spirit of the resolutions of the National Convention, the most freely elected representative body ever assembled in Ireland, was advancing steadily in the work of testing how far the administration of the Land Act might be trusted to eradicate from the rents of the Irish tenant farmers the entire value of their own improvements, and to reduce these rents to such a figure as should forever place our country beyond the peril of periodical famine.
>
> At the same time they took measures to secure, in the event of the Land Act proving to be a mere paltry mitigation of the horrors of landlordism in order to fasten it the more securely upon the necks the people, that the tenant farmer should not be delivered blindfolded into the hands of hostile law Courts, but should be able to fall back upon the magnificent organization which was crushing

landlordism out of existence when Mr. Gladstone stepped in to the rescue. In either event the Irish tenant farmers would have been in a position to exact the uttermost farthing of their just demands. It was this attitude of perfect selfcommand—impregnable while there remained a shadow of respect for law—and supported with unparalleled enthusiasm by the whole Irish race, that moved the rage of the disappointed English Minister.

Upon the monstrous pretext that the National Land League was forced upon the Irish tenant farmers—an organization which made them all-powerful and was keeping them by intimidation from embracing an Act which offered them nothing except helplessness and uncertainty—the English Government has cast to the winds every shred of law and justice, and has plunged into an open reign of terror in order to destroy by the foulest means an organization which was confessedly too strong for it within the limit of its own English Constitution. Blow after blow has been struck at the Land League in the mere wantonness of brute force. In the face of provocation which has turned men's blood to flame, the executive of the Land League adhered calmly and steadily to the course traced out for them by the National Convention. Test cases of a varied and certain character were, with great labour, put in train for adjudication in the Land Court. Even the arrest of our President, Mr. Charles Stewart Parnell, and the excited state of the popular feeling which it evoked, did not induce the executive to swerve in in the slightest from that course, for Mr. Parnell's arrest might have been accounted for by motives of personal malice, and his removal did not altogether derange the machinery for the preparation of the test cases, which he had been at much pains to perfect. But the events which have since occurred—the seizure or attempted seizure of almost all the members of the executive and of the chief officials of the League upon wild and preposterous pretences and the violent suppression of free speech—put it beyond any possibility of doubt that the English Government, unable to declare the Land League an illegal association, defeated in the attempt to break its unity, and afraid to abide the result of test cases watched over by a powerful organization, has deliberately resolved to destroy the whole machinery of the central League, with a view of rendering an experimental trial of the Act impossible and forcing it upon the Irish tenant farmers on the Government's own terms.

The brutal and arbitrary dispersion of the central executive has so far succeeded that we are obliged to announce to our countrymen that we no longer possess the machinery for adequately presenting the test cases in court according to the policy prescribed by the National Convention. Mr. Gladstone has, by a series of furious and wanton acts of despotism, driven the Irish tenant farmers to choose between their own organization and the mercy of his lawyers, between the power which has reduced landlordism to almost its last gasp, and the power which strives, with all the

ferocity of despotism, to restore the detestable ascendency from which the Land League had delivered the Irish people.

One constitutional weapon now remains in the hands of the Irish National Land League. It is the strongest, the swiftest, the most irresistible of all. We hesitated to advise our fellow-countrymen to employ it until the savage lawlessness of the English Government provoked a crisis in which we must either consent to see the Irish tenant farmers deprived of their organization and laid once more prostrate at the feet of the landlords and every murmur of Irish public opinion suppressed with an armed hand, or appeal to our countrymen to at once resort to the only means now left in their hands of bringing this false and brutal Government to its senses.

Fellow-countrymen, the hour to try your souls and to redeem your pledges has arrived. The executive of the National Land League, forced to abandon the policy of testing the Land Act, feels bound to advise the tenant farmers of Ireland from this time forth to pay no rents under any circumstances to their landlords until the Government relinquishes the existing system of terrorism and restores the constitutional rights of the people. Do not be daunted by the removal of your leaders. Your fathers abolished tithes by that same method without any leaders at all, and with scarcely a shadow of the magnificent organization that covers every portion of Ireland to-day. Do not let yourselves be intimidated by threats of military violence. It is as lawful to refuse to pay rents as it is to receive them. Against the passive resistance of an entire population military power has no weapon. Do not be wheedled into compromise of any sort by the dread of eviction. If you only act together in the spirit to which, within the last two years, you have countless times pledged your vows, they can no more evict a whole nation than they can imprison them. The funds of the National Land League will be poured out unstintedly for the support of all who may endure eviction in the course of the struggle. Our exiled brothers in America may be relied upon to constribute, if necessary, as many millions of money as they have contributed thousands to starve out landlordism and bring English tyranny to its knees. You have only to show that you are not unworthy of the boundless sacrifices in your cause. No power on earth except faintheartedness on your own part can defeat you. Landlordism is already staggering under the blows which you have dealt it amid the applause of the world. One more crowning struggle for your land, your homes, your lives—a struggle, in which you have all the memories of your race, all the hopes of your children, all the sacrifices of your imprisoned brothers, all your cravings for rent-enfranchised land, for happy homes and national freedom to inspire you—one more heroic effort to destroy landlordism and the very sources and fount of its existence will have disappeared forever. The world is watching to see whether all your splendid hopes and noble courage will crumble away at the first threat of a cowardly tyranny. You

have to choose between throwing yourselves upon the mercy of England and taking your stand by the organization which has once before proved too strong for English despotism. You have to choose between all-powerful unity and impotent disorganization—between the land for the landlords and the land for the people. We cannot doubt your choice. Every tenant farmer in Ireland is today the standard bearer of the flag unfurled at Irishtown, and can bear it to a glorious victory. Stand together in the face of the brutal and cowardly enemies of your race. Pay no rent under any pretext. Stand passively, firmly, fearlessly by, while the armies of England may be engaged in their hopeless struggle against a spirit which their weapons cannot touch. Act for yourselves, if you are deprived of the counsels of those who have shown you how to act. No power of legalized violence can extort one penny from your purses against your will. If you are evicted, you shall not suffer. The landlord, who evicts, will be a ruined pauper, and the Government, which supports him with its bayonets, will learn in a single winter how powerless is armed force against the will of a united, determined, and self-reliant nation.

(Signed) Charles S. Parnell, President, Kilmainham Gaol
A. L. Kettle, Hon. Sec., Kilmainham Gaol
Michael Davitt, Portland Prison
John Head, Organizer, Kilmainham Gaol
T. Sexton, Head Organizer, Kilmainham Gaol
Thomas Brennan, Secretary, Kilmainham Gaol
Patrick Egan, Treasurer, Paris.

This seems to be the authentic text of the "No Rent" manifesto. Incomplete versions first reached the United States. One made the refusal to pay rent a temporary measure. Another version circulated led to the conclusion that the "Absolute No Rent" theory was advocated. The partial text that reached the *New York Freeman's Journal* (October 29, 1881) declared as a matter of principle: "It is as lawful to refuse to pay rents as it is to receive them." However, even the temporary refusal to pay rent was vigorously repudiated by Church authorities in Ireland. Such a great supporter of the Land League as Archbishop Croke of Cashel wrote as early as October 19, 1881, to the Editor of the *Freeman's Journal:*

I have just read with the utmost pain, and, indeed, with absolute dismay, the manifesto issued yesterday by the leading incarcerated patriots in Kilmainham Gaol, and publicly proclaimed to the country on their behalf from the Land League Rooms in Sackville Street. Against the committal of the people of this country, even under

still more exciting and critical circumstances than the present, to the doctrine of the non-payment of rent, though but for a certain specified time, I must, and hereby do, enter my solemn protest. At no time, an enrolled member of the Irish National Land League, I have been nevertheless a steadfast and uncompromising supporter of its public policy as a whole, believing the same to be thoroughly legal and constitutional, and calculated to lead to great national results. I am of precisely the same opinion still; but I have invariably, both in my published utterances and in private discourses in Ireland and out of it, before lay folk and ecclesiastical men, whether of high or low degree, here at home on Tipperary soil, as well as in lands beyond the seas, unequivocally stated that I stood out for fair rents and nothing more—for the safe foothold of the agricultural classes upon Irish soil; that they should be wholesomely fed, fairly clothed, and suitably lodged; and that the absolute repudiation of rent, should it ever find public expression in Ireland, would meet with no sympathy whatever from me. Such are substantially my views, frequently expressed, and not unknown to more than one of the signatories of yesterday's manifesto. I shall say no more just now. I need not do so. I regret, indeed, to have been obliged to say so much. I hold to the original platform of the Irish National Land League. There is no more reason for abandoning it now than there was when Davitt took possession of a cell in Portland, or when Dillon, with his 200 compatriots was committed to Kilmainham Gaol. It was a sufficiently elastic policy. It was a righteous policy, tested by experience and results. It was a successful policy as well. It welded bishops, priests, and laymen into one loving brotherhood of national work. It pains me, then sorely to think that any attempt should now be made to displace the old lines especially by the very men by whom they were so judiciously laid down. Anyhow, I thoroughly believe in the policy of the past in all its substantial branches, and I quite as firmly believe that the policy now so impetuously recommended to the country instead, besides being condemned on the grounds of principle and expediency, can lead to nothing but disintegration and defeat.[54]

Archbishop Croke's protest was endorsed by others. The Bishops and clergy of Kildare and Leighlin took "occasion to declare their assent and adhesion to the sentiments expressed by Dr. Croke in the letter to the *Freeman's Journal* of Thursday last."[55] Bishop Fitzgerald of Ross wrote the Very Reverend Dr. Kavanagh of Kildare of their mutual readiness to go with the Land League any length permitted by the Constitution and natural justice, and no further, as "the agitation, in whatever way continued, would have no case, should it seek to persevere in crying out unqualifiedly "No rents at

all."[56] In Dublin itself, Archbishop McCabe denounced the "No Rent" manifesto in his pastoral, October 30, 1881, inasmuch as it "assailed the eternal law of good and struck at the foundation on which society rests." He branded it as the teaching of communism, the avowal of which "now God's providence has forced from the lips of unsafe guides," so that the people must face the issue—"whether they will follow the men who have marked out the road that must lead to anger with God and disgrace before the Christian world, or the Bishops of Ireland, who, through a glorious and unbroken succession of fourteen centuries, are the heirs of those who encountered poverty and exile, and dared death in its most terrible form for the people with whom their lives are irrevocably bound up." Two days later, the feast of All Saints, Archbishop McEvilly of Tuam, in preaching, condemned "No Rent" as a violation of that law of God which says: "Thou shalt not steal," and expressed his joy at seeing that the religious, honest spirit of the Irish people in his large diocese revolted against such teaching, convenient as its practice might be.[57] The following Sunday, Archbishop M'Gettigan of Armagh, in his explanation of the Gospel of the day on the tribute money, alluded to those persons who were going about telling the people to pay no rent: "Jesus might as well have told the Pharisees to pay no tribute to Caesar whilst John the Baptist was in prison. If Jesus were to speak to the people now, he would say to them, 'Render to Caesar the things that are Caesars.' "[58] No doubt, all this teaching was a factor in the tremendous rush of tenants to submit their cases to the Land Court or Commission, after it began to sit. The only dissenting voice in the Irish Hierarchy advertised by interested parties was that of Bishop Nulty of Meath. A "special cable" of his interview to Henry George in the *New York Irish World* reported that this prelate "found nothing to condemn in the Kilmainham manifesto," as there was "nothing immoral in the refusal of the Irish people to pay rent to jailors of Ireland until their leaders are released from prison." When this and other alleged statements were telegraphed to the London *Standard,* Bishop Nulty wrote the Editor of the Freeman's Journal, November 16, 1881: "To contradict what that telegram *insinuates* rather than states directly, I beg to say

that I never asserted, *then,* nor indeed in my whole life, that landlords were not fully and justly entilted to a fair rent for the use of their lands; and to add that I expressed no opinion at all on the publication of the late 'manifesto'."[59] This statement must have served somewhat to open the eyes of the readers of the *New York Irish World* to the untenable position of that paper in continually parading an abstract declaration made by Bishop Nulty on land-tenure, which it twisted into a commendation of its communistic theories.

When Bishop McQuaid read all this news in his copies of the London *Weekly Register* and of the *New York Freeman's Journal,* he had ample grounds upon which to base his own attitude on this new phase of Irish agitation, if he needed any precedents in the matter. Despite all the authority of episcopal teaching in Ireland, Father Patrick Cronin of the Buffalo *Catholic Union,* at the protest meeting in the Rochester City Hall against Parnell's imprisonment, expressed his gladness over the fact that the people had answered with the manifesto to pay no rent. At the close of this meeting there was first passed a resolution that "the Irish people are justified before God and man in resorting to every means, policy alone dictating, which promises to secure their freedom." Dangerous as was this resolution, which did not explicity postulate means that were normally lawful, it had already been largely formulated and adopted in a previous meeting of the Monroe County Land League, June 10, 1881. Now it was evidently thought not specific enough, and so an additional resolution was proposed, adopted, and cabled to Parnell: "Resolved, that we indorse the manifesto of the Land League and will redouble our exertions to fulfil every demand until its mission is accomplished."[60] The same thing was, in all probability, done in every Branch of the Land League throughout the United States. At least, there was numerous attendance at the National Irish Convention, in which the delegates from Ireland, T. P. O'Connor, Eugene Sheehy, and T. M. Healy, issued the following call to the Irish Organizations of America:

> We deem it right to say a last word on the National Convention to assemble November 30 at Chicago, preparations for which are now approaching their conclusion.

This Convention answers several purposes.

The Irish people at home are now in the agony of what promises to be the final struggle with landlordism, and the Convention is intended to convey to them, in the most direct and unmistakable manner, that Irish America is unanimously and enthusiastically at their back.

The significance of the demonstration is that, composed as it will be of all the Irish American organizations friendly to the Land League cause and policy, it will be a grand embodiment and concentration of all Irish forces that will place unity of aim and the strength of numbers and of material resources before the whole world.

The second purpose of the demonstration is to assist the Irish at home in the struggle against English rule of terror and reign of despotism.

All the movements since last February have had a joint object and effect—the first, to kill landlordism; the second, to kill coercion.

At home and abroad the Irish want to prove that to coerce Ireland is no small thing to be attempted, and by no means to be accepted with tranquil patience or mean cowardice.

We want to prove that coercion is a means of government in Ireland, against which all the Irish race rise in indignant and potent revolt, and to close that phase of English rule in Ireland once and forever.

And thus the Convention is intended to be, at the same time, a message of hope to the Irish at home of the vast forces they may count on as allies, and a message of warning to England of the vast forces with which she will have to deal.

The demonstration ought to give the word of doom to the twin curses of Irish life—Irish landlordism and English domination.

Lying accounts from Ireland seek to produce misleading impressions in America. Ireland is represented as lulled by the Land Act, and the majority of the tenants are pictured as seeking the Land Court.

It is false, most false. The lull in Ireland is but the preparation for the storm.

The rents are just becoming due, and our information is that in the vast majority of cases the rents will not be paid.

The tenants of Ireland, at the present moment, stand face to face with one of the most trying situations that ever tried the manhood and patriotism of a nation.

On the one side, their terrors are appealed to by 40,000 soldiers, 12,000 armed police, and the suspension of all constitutional liberties; on the other side, the obedient puppets of Mr. Gladstone in the Land Courts make high bids to their cupidity by apparently large reductions of rents; and yet, unshaken by appeals to their fears and superior to appeals to their selfishness, the Irish farmers obey

the "No Rent" manifesto, and remain true to their imprisoned leaders and their outraged homes.

We appeal to our countrymen to make the momentous Convention which meets at such a crisis worthy of the magnificence of the occasion, the magnitude of the issue, and the sacredness of the cause.[61]

The main purpose of the Chicago Convention was evidently to identify American Irish Societies with the "No Rent policy" of Parnell and his associates. How far the Irish people's sentiment was misrepresented in the matter is evident from the admissions made by one of the signers of the previous document, T. P. O'Connor, the following year: "If any fact in history has been proved beyond dispute, it is the complete and disastrous breakdown of the "No Rent" manifesto of last year. Everybody who knows anything of the Land League movement knows that rent was paid almost universally after December last year; that in the few districts where the manifesto was obeyed after that period, the poverty, and not the will of the tenant, produced the obedience, the secret being either that the landlord would make no reduction, or that the tenant had no money, and that for a couple of months before the release of Mr. Parnell there were at one and the same time these three results of the "No Rent" manifesto: (1) The payment of more rent than at any period since the opening of the agitation; (2) An appalling increase in the number and barbarity of agrarian crimes; and (3) An equally appalling and geometrically progressive increase in the number of evictions. In other words, the "No Rent" manifesto had produced, as its triple offspring, increased crime, increased eviction, increased payment of rent."[62] It is true that the call to the Convention was issued before December, but the subsequent course of events in Ireland proved their diagnosis of the situation there to be wrong. Nevertheless, the Chicago Convention was brought to adopt resolutions in accord with the call:

Resolved, That, as in the words of the American Declaration of Independence, "The consent of the governed is the only power from which a government justly derived its authority," and as, in the words of one of Her British Majesty's present Cabinet Ministers, Mr. Joseph Chamberlain," after 100 years of English rule in Ireland, English rule there can only be maintained by 50,000 bayonets,"

this Convention declares English rule in Ireland to be without either legal or moral sanction, and demands the establishment in Ireland of a National Government, based upon the will of the Irish people.

Resolved, That, as the English Government has avowed the resolve to subjugate the Irish Nation by wholesale eviction, by arrest of every friend of the popular cause, the suspension of every popular right, and the terrorism of military force; and, as the Irish people have shown an equal determination to meet these, and by passive resistance to defeat this attack on their liberties, this Convention, representing the Irish American race, pledge the people of Irish birth and Irish descent in this country to stand by the people in the momentous struggle to the full extent of their power and resources.

Resolved, That this Convention thoroughly endorses the policy of the Irish leaders at home in the present crisis; that we have entire confidence in their patriotism and statesmanship, and we tender to them and to the Irish people at large the expression of our sympathy and the assurance that in every struggle against British rule, they will be fully sustained by their kindred in America.

Resolved, That we heartily endorse the "No Rent" manifesto of the Home Executive of the Irish Land League at once as the best available weapon to strike their landlord jailors, and as a swift and smiting instrument to abolish utterly a bad and hateful system and as a fitting answer of the Irish people to the attempt of the coercion ministry to force the acceptance of defective legislation at the point of the bayonet.

Resolved, That, with the view of giving practical effect to the foregoing address and resolutions, this Convention recommends that a levy of $250,000 from the organizations here represented, and all other organizations friendly to the Irish cause, and from the friends of such organizations, be forwarded as an installment, before the first day of February, 1882, to the Central Treasurer of the Irish National Land League.[63]

The text of these resolutions was brought home by the 800 delegates to the Convention, and so were spread broadcast throughout the United States. The delegate from the Monroe County Land League read them to the members in a special meeting, December 4, 1881, and the next day they appeared in the Rochester press. No dissenting voice of protest was raised. In fact, the Monroe County Land League arranged a meeting in the City Hall two days later, at which Father Eugene Sheehy, another signatory of the final call to the Chicago Convention, eloquently pleaded the cause of the

"No Rent" manifesto, according to next day's account of the *Union and Advertiser:*

> The platform of the League was "the land of Ireland for the people of Ireland." Ten thousand men practically own the land of Ireland, and with the land own the houses of the people. They claim too much. John Stuart Mill, Herbert Spencer and others deny the right of the landlord to own the land. Spencer said that, "if ten thousand men own the land of Ireland, the remainder are trespassers." Where vested interests existed to the prejudice of the people, they should cease to exist. No form of despotism is blest by Heaven or sanctioned by man. Landlordism in Ireland has been guilty of every crime known. It has been the assassin of millions. It has clothed them in rags. If the island is in chains, landlordism is the cause, and when the freedom of the country has been achieved, it will be only when landlordism ceases to exist. Landlordism stands without defense before the World today. To destroy it is the purpose of the Land League.
>
> The means, by which it should attack it, are first the "No Rent" manifesto. Parnell used that as a military necessity. Parnell used it as a counterblow to the arrest of the people's representatives. What right had Gladstone to sweep into prison men who only question the wisdom of English law? The Irish would be cowards, if they did not rise in resistance to such treatment. But they do resist it, and the "No Rent" manifesto is adequate to its grand purpose. It rests on the will of the people. It is more effective than an army of 100,000 men. It rests on the will of the people, and no power can crush the will of the people. The Irish propose to subdue the landlords by starving them into surrender. When they have surrendered, the people will treat them more generously than they did the people.
>
> One valuable principle of the land bill determines that improvements of the land belong to the people, and that the improvements are valued at £14,000,000. It acknowledges that the original value of the land was but £4,000,000, and this the people are willing to pay for it.
>
> The League is not preaching communism or socialism, but appeals to the world as fair Christian men who wish to give the landlords their rights and the people theirs. In restoring the land to the people of Ireland, the League expects to enter upon the regeneration of the national life. It asks for no more and accepts no less.

Here Father Sheehy nominally repudiated communism and socialism, but, in opposition to the Irish Hierarchy, this Irish priest openly stood for the "No Rent" policy, which was then consistently and obstinately advocated by the Rochester *Union and Advertiser,* not as an abstract proposition, but as

a weapon of the Irish against the enemy in a political struggle. Bishop McQuaid now thought it was time to raise his voice in protest. He carefully prepared a statement, which he read from the pulpit in his Cathedral before his Sunday instruction, December 18, 1881, for the benefit of the congregation and the Diocese at large:

> These remarks are intended only for those who do not deny the authority of the Church in teaching questions of faith and morals. When a man denies this authority, he ceases to be a Catholic. To him I have nothing to say.
>
> First—It is Catholic teaching that "the end does not justify the means." An end may be excellent, while the means proposed for its attainment may be wicked—execrable. Enemies of the Church charge her with this false doctrine; she repels the calumny.
>
> Second—Secret, oath-bound societies, condemned by the Church, do not become allowable because here and there a priest may be found whose loose conscience sanctions them. Such a priest may even be the initiator of members—their swearer-in. He and they alike are excommunicated. His masses and their communions are sacrilegious. Because a society, condemned by the Church, changes its name, under which *nominatim* it was condemned, it does not follow that this simple change of name lifts the excommunication. Nor does it follow that the excommunication is not incurred because bishops and priests are silent.
>
> Third—False doctrines at variance with the plain teachings of the Sovereign Pontiff do not become true because some priests adopt and proclaim them. The reverend gentlemen, who were so exultant in Chicago a few days ago, would do well, now that they have returned to their homes and their prayers, to sit down in serious calmness and re-read the encyclical of Pope Leo XIII, beginning *Diuturnum*, and published in June of this year. It is a pity the remembrance of it did not come to mind in time to keep them from leading the laity astray.
>
> Having said this much as bishop, to clear my own conscience and to warn men in good time from entanglements that ordinarily end in loss of faith and loss of soul, so that they may not be able to blame me in this world or the next, I now offer a few suggestions, by way of friendly advice, for the consideration of those who have not already lost their head and sound judgment.
>
> First—It is quite possible that among the friends of Ireland in this country are large numbers not members of secret, oath-bound organizations, whose love for the land of their birth or of their origin, is as warm, as genuine, as disinterested as that of the most extreme and rabid revolutionists, albeit the former have more sense; it is quite possible that these wild revolutionists do not monopolize all the patriotism any more than they possess all the intelligence

and honesty of the Irish race. They are, it is true, immense in their own conceit, but yet they do not own the whole island and all its interests. This hint, to be modest, will, I am afraid, be thrown away on them.

Second—All questions, not of faith and morals, admit of discussion and liberty of opinion. It is hardly fair for men no more learned than others to domineer and attempt to lash those who honestly differ from them into methods and practices, not acceptable to their sense of justice and sound policy. Such arrogance is causing many to hesitate and hold aloof from a good cause. Especially is this tone of speech—it cannot be called argument—distasteful to the American people. In the struggle for the amelioration of the social and political condition of the people of Ireland, the sympathy and help of Americans are not to be despised. Politicians may be whipped into any traces prepared for them. American citizens, who do their own thinking, can never be coerced by brawlers.

Third—It is dangerous to arouse hopes and expectations by wild talk that brings peril not to the talker, but to its victims. When the fighting begins, the victims of this talk will be found on the other side of the Atlantic, not on this.

Fourth—The first to be consulted in great national upheavings are always the people most involved, whose property and lives are at stake, who know what it is possible to obtain and the best means for success.

Fifth—I hold that the twenty-eight archbishops and bishops of Ireland know as much of the needs of her people as is known to her friends in this country; that their love for her welfare, their sincerity, and disinterestedness, are fully equal to the best that can be found outside of her bounds; that, with these unquestionable qualifications for arriving at a sound judgment in questions that concern the interests of the people, their wisdom may be trusted in the trying circumstances of the times. As they lead, I am willing to follow; what they recommend, I will sanction and help along to the best of my ability. They will not ask me to leave the Catholic Church, nor will they sink my manhood in the flounderings of dark-lantern and oath-bound secret organizations—the curse of society today.

Sixth—I yield to no one in my love for government of the people by the people, in consonance with that higher law that comes to us by Nature and by Revelation. It is the form of government toward which the Irish people are surely approximating by methods that cannot be disapproved of, and from which they can be held back only by the rashness and madness of injudicious friends. Persistent agitation on the part of the whole people, avoiding bloodshed and secret societies, upheld by the generous co-operation of American citizens, of whom nothing is asked inconsistent with the loyalty and fealty they owe their own government, will effect radical changes, by which the administration of local Irish affairs will be placed where it belongs—in the hands of the people.

To say the least of it, it would have been seemly for the lay gentlemen, who invited a strange priest to address a Rochester audience, to have made inquiry of the ecclesiastical authority of the diocese with regard to said priest's standing in the Church. The failure to make the inquiry proceeded, no doubt, from inadvertence, not from malice.

I commend these observations to the thoughtful consideration of my friends who truly love Ireland and her best interests, but who do not mean to sacrifice their religion under the pretense of helping her.

After the sermon Bishop McQuaid declared that his failure to speak these plain words before was due to no lapse of duty: "It was not because I dreaded the responsibility of so doing, but because of my own ignorance of the extent to which secret organizations have gained control over Catholics in this diocese. And now the lines must be drawn, sharply and determinedly; and where the eternal truths of God are trenched upon, right there, cost what it may, the lines will be drawn."[64] When consulting Archbishop Corrigan the previous summer on Nationalist Clubs which he thought "a secret, oath-bound organization," he had, indeed, stated that its membership in Rochester was small, if any, and not disposed to attract attention. At the same time he had expressed his belief that "whatever Catholics in Rochester are connected with it, were drawn within its meshes by that Father Sheehy now in prison in Ireland, where he ought to be kept to the day of his death."[65] The English Government failed to keep him there. His agitation in favor of the "No Rent" policy did not lack partisans in America, and so Bishop McQuaid felt obliged to write the Editor of the Baltimore *Catholic Mirror:* "I approve of the Land League if the organization can be kept clear of secret societies and within the bounds of the Ten Commandments of God, or, in other words, I will follow where the Irish Bishops lead. Why I do not uphold the Chicago Convention and its resolutions, you may find out by submitting said resolutions to the Professors of Theology at Woodstock, Ilchester, Overbrook, or Troy, and obtaining therefrom an answer such as they are willing to have submitted to the Holy See."[66] Decisions by such authorities could have no effect upon the temper of mind revealed in the letter written by John J. Fitzgibbon in the Chicago *Tribune,* December 21, 1881, to Bishop McQuaid:

I read in today's *Tribune* a sermon or political address which you delivered in the Cathedral at Rochester, N. Y., in which you lay down certain general principles that are true in themselves, but you mingle with them other propositions which are untenable. You erroneously apply these principles to justify you in condemning the Land League, both in Ireland and America, on the ground that it is a secret society, when in reality the Irish National Land League the world over is an open society, as the Irish question is an open question. You must remember that the Land League organization, which has accomplished so much good for the Irish people, did not originate with the bishops and priests of Ireland, and it was not necessary that it should. Neither the origin nor the direction of political power directly emanates from ecclesiastical authority. The Land League movement was the spontaneous uprising of an oppressed, plundered, and impoverished people against a foreign landlord system, which the enlightened opinion of mankind condemns as the most rapacious, most cruel, and merciless ever devised to rob, degrade, and destroy a people. You may arrogate to yourself a power to condemn the Land League; you may denounce those, whether priests or laymen, who gave their means, their labor, their talents to remedy the evils of foreign landlordism in Ireland, but the will and the judgment of the Irish race and the wishes of mankind are against you and approve of the Land League, its methods, and the men who advocate its principles. If you studied the history of Ireland and took note of the terrible struggle which lasted from the invasion of Strongbow to the close of the Williamite war, covering a period of five hundred years, you would know and understand how the Irish people, after heroic resistance against overpowing forces, were robbed of their lands and their liberties, which were theirs as an inheritance, sanctioned both by the Divine and natural law. Do you mean to say that a people, who were deprived of their lands by unjustifiable invasion, by plunder, and by fraud, under the forms of law, have not the right to regain their own by every rational means in their power? If you say so, you betray a want of knowledge of the first principles upon which human society is founded.

You ought to know that, in every community where injustice reigns, and has continued to reign, there cannot be and should not be a state of peace as long as the injustice exists, unless the community is dead to every sense of moral and political right. But the Irish race shows a vitality superior to their misfortunes, which renders them sensitive to their condition, and in virtue of that vitality, they will redeem their native land from the power and possession of the foreigner and the stranger. The greatest insult that you can offer the humblest Irishman is to call him a Britisher, and to imply that he should now and forever submit to the moral and political degradation of English rule in Ireland.

It is to be regretted that you, who inherit some of the gifts of the Celtic race, should become so degenerate as to lose the moral courage and political integrity which proceed from their natural and inherited virtues. The writer has perused one or more of your lectures, and he freely admits that you know the art of reasoning, have a deep insight into things, both spiritual and political, and that you understand philosophical principles. Now he lays this down as a principle, that the Irish race are a distinct, different, and separate people from the English in blood, origin, genius, intellect, customs, manners, and traditions, and upon these fundamental and natural characteristics, which still remain in their virile power, they have the inalienable right, in accordance with the nature of things, to a government and a nationality of their own entirely different and separate from that of England. It is upon these radical and fundamental characteritics that all the different nationalities of the earth are founded. No denunciations and sophistry, come from what source it may, can overthrow that principle nor deter the Irish people the world over from working for its realization. It seems strange that the writer, who is of Norman blood, should be constrained to remind you, who are of Celtic origin, of these ideas which are inherent in the race.

You place yourself in an unenviable position by espousing the cause of unrighteous landlordism in Ireland, and by apologizing for the political acts of some of the servile Irish hierarchy. The political teachings of the Irish hierarchy are not infallible nor obligatory, and they have no absolute right to dictate or to presume to guide public opinion in Ireland any more than you have to do so in America. Even in the supposition that no priest, no bishop, no pope ever knew of, approved, or sanctioned the "No Rent" policy, still that policy can be just in itself and conducive to the real interests and happiness of the Irish people, because that which is in the order of nature as regards the origin, formation, and preservation of society does not require the sanction or authority of the Church to uphold and maintain it. The laws of nature, as applied to human society and to all things, come from the eternal mind of the Almighty, which is antecedent to all churches and political systems.

The Land League finds its strength and justice in the fact that the land of the Irish people was wrested from them by plunder and rapine, without any equivalent, and the descendants of freebooters, who hold it now, have no color of title to it except that sustained by force and fraud.

You may assume to censure the clergymen who, as Irish American citizens, took an active part in the Irish National Convention held here in Chicago, which so ably represented and did such credit to the Irish cause. These gentlemen are responsible for their own acts and understand the nature of government and human rights as well as you do, and many of them are your peers in moral and intellectual worth. It is a cheering spectacle to see the men of

Irish blood in America, in Great Britain, and in every country to which the Irish race have been driven, send words of encouragement and financial aid to sustain the people of Ireland in their desperate struggle with landlord oppression and English rule. And the men in high places, whether of the Church or of the State, who raise their voices to divide and break down the Irish people, will go into history with tarnished names.

The Rochester *Democrat and Chronicle* printed this letter from the Chicago *Tribune* in its own columns, December 24, 1881. It was unjust to Bishop McQuaid's attitude on the Land League and very misleading to the common people with its specious reasoning. Bishop McQuaid did not care to reply to Mr. Fitzgibbon until he mastered the remarks addressed to Rochester Catholics: "First of all, I shall have to consider the propriety of arguing with a man who is a law to himself, of which he is an infallible interpreter. In the second place, I shall have to insist that he con his lesson until he understand the beginning of its meaning." Meanwhile, Bishop McQuaid had received a letter from Mr. W. P. Rend, who wrote from Chicago, December 20, 1881. "To show that all in Chicago do not agree with Mr. Fitzgibbon," Bishop McQuaid asked the *Democrat and Chronicle* to print the following letter addressed to himself:

Extended extracts of your last Sunday's sermon have appeared in several of our leading Chicago papers, and the views and principles, which you enunciated, are meeting with general commendation from the press and from the intelligent, thinking and respectable portion of the public. At a most opportune time, you have assailed, in an unanswerable manner, an evil amounting almost to a general calamity that has seized upon a very large portion of the Irish people on both sides of the Atlantic. Your able and fearless exposition of the grave dangers of the "No Rent" pernicious doctrine—which is, in fact, out and out Communism—will, I hope and believe, have the effect of bringing back to their senses a large number of people in this country, who have allowed themselves to become crazy upon this important subject. Cool, deliberate judgment and wise counsels should be practiced in the treatment of the Irish question to warrant hopes of success, but when blind impulse and wild passion are used instead, and a false policy of tumult and virtual anarchy is inaugurated, then the cause becomes weakened, if not hopeless. As you have pointed out, the prevailing methods, now employed in Ireland, are false in both principle and policy. I am an Irishman and a Catholic, and I can truthfully say I have always felt a deep interest in the success of any honest,

legitimate means that can be used in effecting remedies for the terrible abuses of landlord tyranny in Ireland, but as a Catholic I cannot subscribe to the infamous "No Rent" manifesto lately endorsed and promulgated at the late convention in our city. Very many Irishmen here have very plainly seen, for some time past, that the Land League agitation was fast becoming tainted with the deadly poison of communism, and for this reason have, in obedience to the dictates of duty, been compelled to withdraw from the movement.

Fanaticism and dishonesty have now introduced into this Irish movement dangers and difficulties that will end in disaster unless the warning voice of wisdom is heeded in time. The agitation, on the start, conducted on just and constitutional grounds, when fair rents, free sale, and fixity of tenure were the demands, enlisted the sympathies, the moral and natural support of not only Irishmen, but also of the entire civilized world outside of the aristocracy of England. Then the weapons for assailing wrong, injustice, and oppression were moral ones, and were the very substantial victory of the present land act. The public press and the public sentiment of this country were with us, and our cause had a moral backing and support that gave it invincible strength and power. Now, by the folly, or rather the moral crime of professional false patriots, this great gain and weighty advantage have been sacrificed and a sacred cause placed in jeopardy.

Not a single respectable or influential journal in America has yet endorsed the "No Rent" delusion, while very many have assailed this manifesto in terms of the strongest denunciation. Not only has a serious loss been sustained and the cause weakened, but worse still, disgrace is being brought upon the Irish name and scandal upon the Catholic religion in this country by the outrageous conduct of such as Father Sheehy. His lecture here was a flagrant public outrage and caused in almost every decent thinking Irishman, who listened to or read his vicious harangue, feelings of indignation and of burning shame. He damaged, in the very worst possible way, and stamped with disgrace the cause that he came here to advocate, and went from our midst condemned by the entire public outside of a certain small fanatical following.

To make matters still worse in the late convention, not a single Catholic clergyman of the large number there in attendance had the moral courage to rise and denounce the "No Rent" manifesto. Their presence and tacit approval seemed to give endorsement to this infamous heresy. Of course, such example was not, by any means, edifying to practical Catholics, who have been taught by their religion that it is a most imperative duty to pay just and honest debts.

The ignoring of this great religious truth would work destruction to the Catholic or any other religion in this or any civilized country in Christendom.

I believe, however, that very many, if not the majority of these reverend gentlemen, were secretly and conscientiously opposed to this manifesto, but they seemed to sadly lack the courage of their convictions. Patrick Ford went from the Chicago convention back to New York, and in an editorial in his paper boasted exultingly that the principles, which the *Irish World* has so long advocated, were indorsed in their entirety by this convention. He won a victory and rejoiced over it. Just think of the disgrace of Catholic priests being unwittingly used as tools or agents to advance the schemes and purposes of this dangerous man, whose paper has been publicly condemned by the pastoral letters of several American bishops.

If the "No Rent" manifesto had been qualified to the extent that no rack or extortionate rents should be paid, then it would meet with no opposition in this country from any quarter. But the declaration that no rents or debts, even when just and honest, should be paid, is the cry of communism and robbery. Some offer the apology that this is intended to be operative only while Parnell and the Irish leaders are in prison; but let this principle once become established, on any grounds, and facile pretexts will be readily formed at all times for its perpetuation. No such dishonesty has ever taken deep root in the Irish character. The Irish people have been the victims of robbery and outrage, but they have never before in their entire history forgotten as a people to practice the virtue of honesty. They will not now. The present no rent epidemic will soon run its sickly course.[67]

Unfortunately, Mr. Rend was mistaken in stating that not a single respectable newspaper had endorsed the "No Rent" policy. At least here in Rochester, the *Union and Advertiser* vigorously stood for it, although opposed with equal energy to all secret oathbound societies and communism in the Land League of the United States. When later this paper received a number of letters discussing the Land League and Church Authority because of Bishop McQuaid's action in the matter at issue, it maintained that the Land League had no more to do with Church authority than the Democratic or Republican Party. Nevertheless, the *Union and Advertiser* could not avoid moral issues in the discussion of the question. Thus, it boldly claimed that no successful revolution was ever carried out upon a strictly moral basis, with a chaplain for a commander and the Decalogue for a platform, and it doggedly hoped and trusted that the "No Renters" of Ireland would be as successful now as were the Anti-Renters of New York forty years ago.[68] Contumacious waywardness soon led this newspaper into this astounding bit of moral

theology: "In paying rents to the descendants of the land pirates,.....the Irish people are committing a mortal sin which may jeopardize their eternal salvation. They become, so to speak, *particeps criminis*—accomplices after the fact."[69] This was, indeed, lay theology gone mad. With such thoughts brewing in men's minds it is not surprising that the following circular was issued at the Headquarters of the Monroe County Land League to the Officers and Members of the Land League of Monroe County and adjoining Counties, January 6, 1882:

> Fellow Countrymen and Friends: The Monroe County Land League owes much of its past success to the material and moral support it has received from the various branches in this and adjoining counties, and takes this opportunity to express its thanks to all who have sympathized with us in our efforts to sustain the people of Ireland in their struggles against landlordism.
>
> The mission of the Land League is not yet completed, and the friends of Ireland in this locality are called upon to meet the present crisis in Ireland with renewed zeal and energy. At a convention recently held in Chicago, it was agreed to form a union of all societies in the United States friendly to the cause of land reform in Ireland, and to forward to Treasurer Egan, before the first of February next, the sum of $250,000. To raise this amount will require extraordinary sacrifices; and as the time is short, we appeal to our friends to forward to our Treasurer, before the first day of February all the funds they may, in the meantime, be able to raise.
>
> We send herewith the resolutions and address adopted by the Chicago Convention. It is hardly necessary to say that the Monroe County Land League fully endorses the sentiments expressed in these resolutions, and renews its pledges to sustain the people of Ireland in any measures they may decide upon to free themselves from the oppression of landlordism. If we could see our way to the freedom of Ireland by force of arms, we should waste no time on agitation or "No Rent" manifestos; but we know that an appeal to physical force, while the people are unarmed and England is at peace with other nations, would be simply madness, and hence we propose to sustain the people of Ireland in their present attitude.
>
> In connection herewith, we call the attention of our friends to the accompanying copy of the original "No Rent" manifesto and to the letter of Dr. Nulty, the patriotic Bishop of Meath, which covers the whole ground of the land agitation and will well repay perusal.[70]

The Resolutions of the Chicago National Irish Convention were thus reinforced by the Address of its Executive Committee, issued in New York, December 17, 1881, and by

Bishop Nulty's Letter Addressed to the Clergy and Laity of the Diocese of Meath, Ireland, April 2, 1881. The Executive Committee, which signed the Address, consisted of Michael Boland, Chairman; P. A. Collins, Secretary; D. C. Birdsall, Patrick Ford, Wm. B. Wallace, Alexander Sullivan, Andrew F. Brown. Several of these names made cautious men reasonably suspect the infiltration of secret society elements into the Land League of America. That was precisely the danger of a Pan-Irish Convention, and yet a "United Brethren" circular issued before their January Convention of 1882 declared: "At the late Land League Convention a party was organized, and is now at work in that body with the object of gradually sapping the foundations of our organization, and building up a power capable of crushing out the revolutionary spirit while studiously working for Ireland."[71] The Address was mainly an appeal to open purses "to our kindred in the motherland; to the bare houses which landlordism and legal tyranny have stripped of everything; to the prisons, in which the noblest of our race are languishing for devotion to their kind; to the mothers bereft of their sons; to the little children who know nothing of the joys of Christmas in the most pious country under Heaven, and who will not have even bread unless we send it; to the families evicted from humble roofs and cast out to perish in the name of law and civilization." This last touched upon the sorest spot left in spite of the benefits of the new Land Act, as the Executive Committee explained: "It is not generally understood in this country that the provisions of that measure do not extend to those who, on account of the famine of last year and the reduced crops which preceded it, are turned out into the highways to perish from cold and hunger if charity does not rescue them." Although greatly stressed in the Address, these corporal works of charity were not the real objects sought by the Executive Committee. American friends of Ireland were to sustain the Irish people "in their heroic struggle for liberty, of which they are now totally deprived,....in their resolve to meet coercion with coercion.....If the tenantry of Ireland can be maintained through the winter in their resistance to the tyranny of the Irish landlord system, the tillers of the soil will be enabled to become its owners, artificial famine will be rendered forever impossible, and the people of Ireland

will have come into their own again and be placed on the road of nationhood."[72] There was no mention of "No Rent," but that was precisely the coercion recommended. Bishop Nulty's letter was used to prove that the Irish people were the real owners of the land, as every country is the common property of the people of that country. When these documents were likewise circulated throughout England and Ireland for propaganda, they also came to the notice of the Bishop of Meath, who wrote the Editor of the Dublin *Freeman,* December 31, 1881:

> I beg leave to enter an emphatic protest against an unfair as well as an unauthorized use made of an extract from one of my letters in a placard, which I have just learned has been circulated and posted extensively in England and Ireland by some agency to me quite unknown.
>
> I do not, however, mean to retract or qualify in the slightest the statement I make in that extract as taken in the context in which it stands, where I quote the very words of Mr. Mill, and of dozens of other political economists, who held "that the land of a country ought of right to belong to the people of that country."
>
> What I do complain of in this placard is:—
>
> 1st. That a solitary, isolated sentence is very liable to be misinterpreted, and may give rise to grave misconception, when detached from the context in which it stood, and by which its meaning was clearly fixed and defined.
>
> 2nd. That,—although the extract is taken from an essay which I published on the Land Question before the passage of the Land Act,—the placard leads one to believe that it has been taken from a letter published quite recently.
>
> 3rd. That a *facsimile* of my signature is attached to this extract without my knowledge, as if I had sanctioned and approved of a course of action which I entirely disclaim.[73]

Bishop McQuaid noted in his Diary "the publication of the Address of the Monroe County Land League, endorsing the resolutions of the Chicago Convention even in an aggravated form." The next day, Sunday, January 8, 1882, before his sermon at the High Mass, he "read a few remarks in relation to the action of the Monroe Co. Land League."[74] Three days later Bishop McQuaid addressed the following letter to the Reverend J. P. Stewart, Pastor of St. Mary's Church, Rochester, N. Y.:

> I see by a notice in the public press that you are engaged in taking up a collection in your church for the amelioration of the condition of the "suspects" now in prison in Ireland.

I cannot permit the church to be used for any purpose having a tinge of political action about it, and so I must forbid the method you propose to follow.

But the end you wish to attain is a good one and deserving of help. The same good work has the sympathy and support of priests and bishops in Ireland. The coercion bill, under which these men now suffer on bare suspicion without trial, is one that merits strong and determined condemnation, and that wins approval from no friend of Ireland in this country. Its egregious folly is made manifest day by day. Its victims are justly entitled to kindly sympathy and aid. Many of them are in straitened circumstances and not able to provide other than prison fare during their confinement within the prison walls. Most of them were engaged in honest and legitimate political agitation under the guidance of the Land League, while the Land League had the sustainment of the Irish hierarchy. It would not be just or honorable to let them suffer needlessly while it is in our power to come to their relief. In thus helping these prisoners, you are in no way implicated as endorsing false doctrines against Catholic faith and morals, nor do you incite the poor people of Ireland to a physical contest with Great Britian, which contest would inevitably end in defeat and slaughter. Wherefore, although I cannot permit the church to be used as proposed, you are at liberty to organize a relief committee to meet in your house or in some other convenient place. In this work of charity, which is ever a duty, you will have my approbation and hearty encouragement.

To you who know me so well, it is a waste of words to say that the unkind language so basely uttered by rash and hot-headed men, charging me with want of regard for Ireland and her true interests, is worse than calumnious. It is cruel to put my love for the land of my parents, so deep, so true, and so Catholic, on a par, even for a moment, with the interested, thoughtless, and rash, or professional patriotism of many, always loud-mouthed in times of excitement. The man insults me and my pure love for Ireland that asks me to hand her over, in this hour of trial and impending danger, to the machinations and conspiracies of secret, oath-bound societies, to sanction doings condemned by the commandment of God, or to approve a plan of action reprobated by every bishop of Ireland and leading swiftly and surely to unmitigated communism.[75]

The situation in Rochester found its counterpart in Cleveland. For years Bishop McQuaid had promised himself a visit with Bishop Gilmour to talk over matters with him, but some obstacle or other always arose to prevent the journey. However, the way seemed clear now, and Bishop McQuaid announced his intention to visit Cleveland at the beginning of this year of 1882. The time could not have been

more ill-chosen, and Bishop Gilmour hastened to beg Bishop McQuaid to delay his visit a little:

> On February 6th, I am to lecture on the Land League, and much preparation is being made by the Irish Catholic Societies and Congregations for the occasion. We have here a Sheehy wing of the Land League, who have been the fiery *Irish World* madmen here in the varying phases of their past campaign of Feenianism, skirmishing, & no-renting rascality. They have steadily striven to place me—as the same class are now trying to do with you—in an anti-Irish position. So far I have been fairly able for them. When Sheehy came, they did all they could to let him say mass; then they had the impudence to ask me to lecture before them for the benefit of their no rent league. I refused, of course, as they expected, & through refusal they hoped to again work me into a false position, but I called together all the Irish Catholic Societies of the City in union with our "Central Association," & agreed to lecture before them, uniting to them delegations from all the English speaking Congregations in the City, the proceeds to go to Bps. Croke and Nulty, to be used by them for the benefit of the tenants, as they deem best. Under all these circumstances & the great delicacy of the task before me, with your permission, I think it would be better for you to delay your visit till after the lecture, as thus I would be free from misconstruction, as these lads would be ready to twist your visit into a channel to suit themselves. I am sure you will not be offended that I seek for this delay, seeing the motives prompting it. After that I will be most happy to welcome you to Cleveland & exchange views on many things.[76]

Bishop Gilmour had as clear an insight into the miserable condition of Ireland and as deep a sympathy for the sufferings of its people as any of his detractors and calumniators. He gave proof of this in his lecture on the Land League at the Tabernacle, when he told his people gathered there, February 6, 1882, how landlordism, with the systematic exclusion of industry and commerce, was the curse of Ireland, the real cause of its permanent beggary and chronic rebellion: "The naked condition of the Irish landlord is simply this: The English subdued Ireland, killed, or banished the native chieftains, seized their lands, distributed them amongst successful soldiers or kingly favorites, who in turn rented the land to the natives. From the beginning, the Irish landlord was a conqueror, without sympathy with his tenants either in religion or race. The Irish landlord reduced to his native deformity is simply a leech, that has sucked out the life and

energy of Ireland to such a point that they have left the Irish people but potatoes for food and mud hovels for houses." Accordingly, Bishop Gilmour had no hesitation boldly to proclaim the right of Ireland to rebel against England. He was, however, careful to remark: "It is not the right of rebellion that is in question, but the probability of success. Two things are needed to justify rebellion—a just cause and a reasonable prospect of success. The first Ireland has, the second she has not. Therefore the folly and criminal madness of those who would counsel rebellion and drive an unarmed people to certain slaughter and reduce them to a condition worse than at present. In this you have the answer to the folly and criminal madness of the Fenians and Skirmishers, who seek to goad on the people to rebellion and certain slaughter. In this also you have the opposition of the Irish and American bishops and priests, and sensible men to any attempt at rebellion, or any measure that would bring Ireland into armed conflict with England. For rebellion more is needed than the blustering braggadocio of the dynamites or the ridiculous invasion of Canada." Bishop Gilmour saw the way to success first in the Land League and then in Home Rule. The Land League agitation for the transfer of the land from the landlord to the people was bound to compel attention and to succeed as long as the principles of justice towards both were maintained: "Fair rents now, and a fair price hereafter," was the battle cry of the Land League at the beginning. "Under such a cry, Ireland would be united—bishops, priests, leaders, people, one. A whole people united, with justice and truth as their guide, will win, must win, and on that basis the Land League will win, must win." However, the Land League no longer presented such a united front. Bishop Gilmour found "the leaders divided; bishops and priests crying out; the people confused; turmoil, division, weakness, prospective defeat; everywhere fear that one of the fairest chances Ireland has ever had is about to pass away, and the Land League is to be another of Ireland's failures." The whole trouble was reduceable to two words: "No Rent." Bishop Gilmour branded this phase of the agitation in the ugliest terms: "In its naked deformity, "No Rent" means that the tenant, under the plea that he is poor and the landlord rich, will pay no rent for the use of the land he occupies. But this is theft—clear, unquali-

fied theft, and is based on the communistic doctrine, 'property is robbery'." Bishop Gilmour thought that "no viler doctrine was ever promulgated in the streets of Paris. It is un-Catholic, it is un-Irish, and if continued in and forced as a part of the Land League doctrine, then the Land League is doomed, and no power on earth can or ought to save it." He attributed the "No Rent" agitation to "a class of mad, irresponsible men, without means or position, with nothing to lose and all to gain; adventurers, who, under the plea of patriotism, are constantly pushing themselves forward and assuming that they are the voice of Ireland and are the only and true exponents of the Irish cause....They bring ridicule on Ireland and the Irish cause, make men disgusted with their dynamite farce, play upon the honest patriotism of the people, waste their money, make Ireland ridiculous, and invariably end in defeat or a farce. Witness the late proceedings here in Cleveland, in the vile attack made on Archbishop Croke and others, because they condemn the 'No Rent' policy. No man doubts Archbishop Croke's patriotism, or his earnest, honest efforts in behalf of his country. No man in Ireland has said nobler words than he in behalf of the people, but because he would not accept what cannot be accepted—'No Rent'—as a battle cry, then he is a traitor to Ireland. These men are a scandal to Ireland, a weakness to her cause, and will bring disunion and defeat wherever they are. Their maxim is 'rule or ruin,' and for self they would sacrifice the most sacred cause. If the Land League fails, they and they alone will be the cause.' " The concluding words of Bishop Gilmour's lecture left his hearers in no doubt about his position: "Hence I hold by the Land League in its original form, which means 'The Land for the people and Home Rule for Ireland,' but I refuse to fight under the battle cry of 'No Rent'."[77] Two days later Bishop Gilmour wrote the Editor of the *Cleveland Plain Dealer:*

> In your issue of yesterday you say, in speaking of my lecture: "Bishop Gilmour delivered his lecture by invitation of the Land League." This is a mistake. Bishop Gilmour did not deliver his lecture "by invitation of the Land League;" but, on the contrary, when asked by the Parnell Branch of the Land League to deliver a lecture before them, he, for many reasons, some of which he stated in his lecture, very distinctly refused to lecture at the invitation of the Parnell Branch of the Land League. Bishop Gilmour lec-

tured at his own invitation and at no one else's, but invited the delegates of the Irish societies of Cleveland, as also the delegates of the English speaking congregations (Irish) of the city, to make the necessary arrangements for the lecture, these delegates representing the entire Irish population of the city. Bishop Gilmour does not belong to a "Branch" of his people, far less to a "Branch" so utterly reckless and radical as the Parnell Branch of the Land League of Cleveland. When Bishop Gilmour speaks, he speaks to and for his whole people. "Branches" looped off from the tree soon become rotten timber, and the Parnell "Branch" of Cleveland is no exception.

This may appear a small matter, but the intent with which it was said in the *Plain Dealer* was to continue the effort so maliciously made by the Parnell "Branch" to place me in a false position, as was the original invitation of this Parnell "Branch", when they invited me to lecture before them, intending, as they did, that, if I refused to lecture before them, as they knew I would, then to raise the cry, "The Bishop is opposed to the Land League:" and if I did lecture, then to herald far and wide, "The Bishop is in favor of "No Rent!'" When I cut the knot and lectured for and before the whole people, they (Parnell "Branch") tried to get up a disturbance in the hall; and now one of their leaders slips in the *Plain Dealer* maliciously the words above, hoping thereby to begin anew the effort of placing me falsely before the public. It is about time that the Parnell "Branch" of the Land League in Cleveland understand that they in no sense represent the Irish of Cleveland and in no sense represent anything Catholic.[78]

This left no doubt in the mind as to Bishop Gilmour's uncompromising hostility to the Cleveland "No Rent" Leaguers. As long as they confined themselves to a male membership, he took no further steps against them. However, he thought it time to speak words "that will end dispute" when they brought women into the political arena and attempted to unsex the women of his flock, "to make them brawling politicians, and, under the plea of patriotism, attempt to destroy female modesty, and so bring shame on every Catholic woman of Cleveland." Bishop Gilmour, therefore, pleaded the cause of female modesty in the "grave and severe criticism" of his Sunday's sermon, May 21, 1882, on the formation of a Ladies' Branch of the Parnell Land League of Cleveland. The following Sunday, the Lady President emphatically declared: "We do not want Scotch dictation by Bishop Gilmour." This statement was made still stronger by one of the men at the same meeting: "If they were to be

ruled by Scotch, or Italian, or English priests, we had better shut down on the whole lot." In fact, all the addresses were "so flagrantly disrespectful to Bishop and priest," that the following extreme measure was thought necessary, which was promulgated June 1, 1882, to be read next Sunday at all the Masses in all the English speaking churches of the city of Cleveland:

> Now, therefore, I, Richard Gilmour, by the grace of God and the appointment of the Apostolic See, Bishop of Cleveland, hereby and by these presents excommunicate and declare excommunicated, *ipso facto*, and within the limits of the Diocese of Cleveland, cut off from the communion of the Catholic Church any woman, now a member of the Parnell Branch Ladies' Land League of Cleveland who shall attend any meeting of said Ladies' Land League, in what is known as the Parnell Hall, Cleveland, or in other hall, whether such meeting be held next Sunday afternoon or hereafter at any other time or place. I further declare excommunicated, *ipso facto*, and, within the limits of the Diocese of Cleveland, cut off from the communion of the Catholic Church, any woman or women who shall after the publication of this join said mentioned Ladies' Land League. *Female modesty must be maintained*, let the cost be what it may. No Catholic woman shall be permitted to forget her womanhood; or if she does, she shall, within the diocese of Cleveland, cease to be in communion with the Catholic Church.[79]

The Lady President took up the gauntlet the following Sunday, and boldly declared: "All and any malice brought to bear upon ourselves or organization shall not be submitted to." The Male Leaguers in Cleveland, Chicago, and Buffalo formally pledged the Ladies their support. In Rochester, the *Union and Advertiser* declared that Bishop Gilmour had overshot the mark: "There is no very great impropriety in the organization of women in America for the purpose of wiping that landlordism out."[80] Bishop McQuaid himself never was tempted to take any action against the Ladies in the Land League agitation, but the Monroe County Land League was generally not radical, but conservative, although misled into the endorsement of the "No Rent" manifesto. This had, in fact, been practically withdrawn in Ireland before Bishop Gilmour's sentence of excommunication was pronounced.

The change of policy resulted from what came to be called the "Kilmainham Treaty." April 28, 1882, Parnell, in a letter written from his prison to Captain O'Shea, M. P., for

the County of Clare, proposed a plan for the settlement of the land question by dealing with the arrears question with justice and some generosity to the smaller tenantry, by admitting leaseholders—the flower of the Irish peasantry—to the fair rent clauses of the Land Act, and by enlarging the tenure clause to a full extension of the purchase clauses through some compromise. The letter concluded with the significant words: "The accomplishment of the programme which I have sketched out, I think, would be regarded as a practical settlement of the land question, and would enable us to co-operate cordially in the future with the Liberals in forwarding Liberal principles; and the Government at the end of the session would, from the state of the country, feel themselves thoroughly justified in dispensing with further coercive measures." Coercion had failed in point of fact, and now, with the proper settlement of the arrears question, the Irish leaders declared themselves confident "that the exertions, which we should be able to make strenuously and unremittingly, would be effective in stopping outrages and intimidation of all kinds."[81] This was not an admission of guilty responsibility for these evils, as they simply declared their ability to cure the Irish body politic of these sickly excrescences, if the British Government furnished the necessary antidote, which they recommended. They had, in fact, pictured, in Justin McCarthy's Amendment to the Address of Parliament, the woeful condition of the Irish body-politic which they, no doubt, considered responsible for these evils, namely "the action of the Executive in Ireland, whereby the liberties of the members of this House have been outraged, and the performance of their Constitutional duties rendered impossible; whereby hundreds of your Majesty's subjects in Ireland are detained in prison without trial or the right of Habeas Corpus, many of them on the alleged suspicion of offences for which, even if duly tried and found guilty, they could not have been subjected to punishment as severe as that which they have already undergone; whereby the lawful organization of the Irish tenantry has been arbitrarily suppressed at a most critical moment, when its maintenance was essential to the due protection of their legal rights, while the organization of the Irish landlords against those rights has been encouraged and supported; whereby ladies engaged in the

work of public charity have been threatened, harassed, and imprisoned under obsolete statutes and on nominal pretexts; whereby the liberty of the Press has been illegally interfered with, the right of free speech, of public meeting, and of lawful constitutional agitation have been abrogated; whereby innocent persons have been killed and wounded by the armed forces of the Crown; whereby the verdicts of coroners' juries, incriminating the agents of the Executive have been disregarded; whereby large districts of the country have been placed under a system of quasi-martial law; whereby rewards have been offered by the Government for secret information as to crimes to be committed, tending to the demoralization of the people and the creation of perjured evidence against innocent persons, which action generally has caused in the minds of the people of Ireland a profound mistrust of the execution of the law."[82] Here were all the circumstances that had given the secret conspirator his opportunity in the past according to the Pastoral issued by Archbishop McCabe of Dublin, January 16, 1882: "The illegal societies which resulted in midnight atrocities worked out their mission of crime by sending their dupes to life-long slavery, or death itself. The ban of the Church which smote these unholy combinations was sure at the end to achieve their destruction. But before their dissolution, the hidden and unscrupulous leaders gathered the spoils of their iniquity by trafficking in the blood of their deluded victims. The monster has again raised his head amongst us and the voice of warning must come from the faithful guardians of the fold, if that fold is to be saved from further ravages."[83] Although the Archbishop here went to the root of the evil, the condition of almost reckless desperation produced by cruel wrongs and bad laws, his Pastoral, March 9, 1882, singled out the "No Rent" manifesto, which at most was only a contributing cause, as responsible for the by-product of crime in the operations of forbidden secret societies: "A decree, which struck at the security of all property, and consequently exposed to serious peril the Faith we all love, went forth to the country some time ago, and we have seen that decree enforced by the threat of terrible penalties, and its violation punished by atrocities that make us shudder —even by murders, which call aloud to Heaven against the perpetrators and abettors." He did not, however, "charge the

men who sent forth the manifesto, thus enforced by abominable crimes, with the blood thus wickedly poured out. We are sure their souls revolt as much as ours against these deeds of darkness; and we are persuaded that, had they foreseen the awful enforcement of their decree, that decree never would have gone forth."[84] Archbishop Croke of Cashel had been more circumspect in his letter, February 19, 1882, to Thomas F. Brady, Esq., Honorable Secretary to the Society for the Prevention of Cruelty to Animals:

> In reply to your esteemed communication, dated yesterday, and referring to certain outrages upon dumb and defenceless animals which, unfortunately, have from time to time taken place of late in various districts of the country, I beg respectfully to say—
>
> 1st. That no one can deplore such outrages more bitterly than I do.
>
> 2nd. That I believe them, however, to be grossly and wilfully exaggerated, both as regards number and character.
>
> 3rd. That they are not in reality, and at no time were, greatly in excess of the average of such offences in past years; and that they are fewer in number and, as a rule, of an infinitely less savage and revolting type in Ireland than they have been proportionately in England during the same period.
>
> 4th. That, in my opinion, the suspicious, because systematic, outcry now raised against outrages has been got up, not upon purely sympathetic or humanitarian grounds, but with a view to discredit so far as may be, the Land League movement and organization, which are persistently pointed at by a few as the real cause of those offences.
>
> 5th. That while Her most gracious Majesty, rightly and becomingly, and with true queenly instinct which so well befits her, expresses her abhorrence of outrages committed against dumb animals, she might, had she thought well of it, with equal propriety, have given expression to a similar feeling with regard to a large section of her Irish subjects, who, though, thank God, not *dumb*, are certainly defenceless and ill-used animals, being habitually bruised, and beaten, and mercilessly flung out shelterless on the roadside, because of their inability to meet the requirements of ruthless and exacting taskmasters.
>
> 6th. That a united appeal, such as you speak of, on the part of the Bishops and clergy of Ireland, if made as you suggest, would go far to give credit and currency to the false statement, so persistently made, that gross outrages against inoffensive animals are unusually and alarmingly common in our midst, and that the clergy have been hitherto remiss in raising their voices against them.
>
> 7th. That, for these and other reasons, I can be no party to the address to the Irish people which you so earnestly recommend;

that, speaking for myself, I have, by word of mouth as well as in writing, repeatedly denounced outrages of every kind, and that I have quite recently done so most emphatically in a letter addressed by me to the clergy of Cashel, as may be seen by the printed extract from it which I subjoin:—

"Outrages of every kind should be strenuously denounced by the clergy, Sunday after Sunday, as offences against God and a disgrace to the country, besides being highly injurious to our national cause."[85]

When Archbishop Croke some time later spoke to the people at Kildare, he again asserted what he had written in this letter, that accounts of these outrages were exaggerated, and that there were worse outrages by far occurring in England—greater in number and more revolting in species than those in Ireland. Nevertheless, he added: "But we must have no outrages. It is not a war against landlordism that you are waging now, but a war amongst the tenants against themselves. I have been amongst savage men in the antipodes, and although they were a race wild for battle, they never fought against friendly or neighboring tribes, but always against the common enemy. It should be the same here. Let us, I pray, be just and fear not—do no injury to any man, and our cause must prosper."[86] These outrages, bad as they were, were almost nothing in comparison with the policy of extermination pursued by landlords with the armed aid of the government, which Bishop Nulty of Meath described in his reminiscences while speaking to the people of Killucan some months later:

We cannot shut our eyes to the fact that the wrongs inflicted on our poor people, bitter in themselves, were carried out with extreme cruelty. Never was the crowbar brigade in so much use as at the present. Writs are showering down on the country; evictions are being carried out on a gigantic scale; the arrears of rent are impossible to pay, and the people are driven in hundreds and thousands from their homes to hunger and want on the roadside. I was speaking to the Archbishop of Cashel the other day, and he told me that there were no less than 400 families living in huts in his Diocese who had been exterminated from their homes. These evictions are cruel and inhuman, and yet most of the evicted people submit to them without a murmur. But it is not in human nature always to submit tamely to cruelty and wrong. Some exasperated persons have turned on their oppressors and retaliated in a dreadful manner. These misguided ones—for misguided they are—turn

> from the proper course and perpetrate outrages directly opposed to both human and divine laws. I condemn them, but I also condemn evictions. Let these not be resorted to and then we shall not have the former. I lay these inhuman deeds, which we all deplore, at the doors of the evictors, for if evictions did not take place, there would then be no cause for hatred and revenge, and consequently no outrages. Let them leave us to ourselves and we will undertake to deal with these outrage perpetrators. We will undertake to do what Coercion never did—to stop the course of crime in Ireland.[87]

Under such leaders, the rank and file of the clergy could not remain silent in these circumstances. Thus, the clergy of the Archdiocese of Cashel and Emly, after a conference in Thurles, April 11, 1882, and in the town of Tipperary the next day, resolved, on the one hand, "that every species of outrage committed against person or property, but especially on dumb and defenceless animals, is to be earnestly and sincerely deprecated; that we shall exert all the influence we possess in our respective parishes to prevent the perpetration of this very discreditable class of offences, and that midnight raids made for the purpose of vengeance or intimidation on poor and unprotected families or individuals, should be most strenuously denounced by the clergy, and discouraged by every right-minded and patriotic Irishman." On the other hand, they likewise resolved "that there can be neither peace nor prosperity in Ireland so long as industrious tenants are evicted at the point of the bayonet for the non-payment of excessive rent, or while numbers of our best and most valued citizens, including the chief leaders of the Irish people, are detained in prison without trial, and on no specific or tangible charge; that we demand from the Government, accordingly, the immediate staying of evictions on account of arrears of rent, the restoration of our constitutional rights, and the release of our imprisoned patriots; and that we hereby pledge ourselves, one and all, to co-operate in every legitimate way with our faithful parliamentary representatives in procuring the much-needed and substantial amendment of the Land Act, as well as for the passing of a measure to improve the condition of Irish agricultural laborers and artisans."[88] Both the Hierarchy and Clergy, therefore, strove to maintain the balance of justice between the excesses of the people and of the Government, although the people were more sinned against than sinning. Finally, Gladstone and his Cabinet capitulated,

May 2, 1882. The following day he represented this change of front as a great victory to the Queen:

> In his judgment there had been two, and only two vital powers of commanding efficacy in Ireland, the Land Act, and the land league; they had been locked in a combat of life and death; and the cardinal question was which of the two would win. From the serious effort to amend the Land Act by the Arrears bill of the nationalists, from the speeches made in support of it, and from information voluntarily tendered to the government as to the views of the leaders of the league, the cabinet believed that those who governed the land league were now conscious of having been defeated by the Land Act on the main question, that of paying rent.[89]

Chief Secretary Forster resigned his office at once. Gladstone feared that he would have to base his justification "upon the doctrine of 'a new departure,'" but he immediately added: "We must protest against it, and deny it with heart and soul." The three members of Parliament imprisoned on suspicion since last October, Messrs. Parnell, Dillon, and O'Kelly, were immediately released, and returned to the House of Commons two days later. For the office of Irish Secretary, Gladstone selected Lord Frederick Cavendish, whose wife was the niece of Mrs. Gladstone. He arrived in Dublin, Saturday, May 6, prepared to execute the orders of "those who had determined at the last hour that a policy of conciliation should supplant that of terrorism and national distrust." That same evening Lord Cavendish and the permanent Under-Secretary, Thomas Henry Burke, were assassinated by a band of "Invincibles" in Phoenix Park. The leaders of the Land League, Parnell, Dillon, and Davitt, immediately denounced to the people of Ireland this cowardly and unprovoked assassination "on the eve of what seemed to be the bright future of our country...., which cannot be exaggerated in its disastrous consequences."[90] The horrible deed also produced a healthy reaction from dangerous language on the part of the Monroe County Land League, which dropped the phrase, *policy alone dictating,* from its resolutions by recommending only *lawful means* and by repudiating the physical force party. The following resolutions, were, therefore, passed unanimously, May 12, 1882:

> The Monroe County Land League embraces this occasion to give formal expression to the feelings of horror and indignation, with which its members learned of the atrocious crimes committed in

Phoenix Park, Dublin on Saturday evening last, when Lord Frederick Cavendish, Secretary, and Thomas H. Burke, Under-Secretary, for Ireland were cruelly murdered by fiends in human form. The assassins struck a fouler blow at the Irish Land League than at the British Government. Their knives passed through the bodies of their immediate victims and pierced the heart of prostrate Ireland at the very moment that Parnell, Dillon, Davitt, and their compeers emerged from prison and were about to co-operate with the Gladstone administration in so amending the Land Act as to give relief from arrears of rents and open the way to purchase and ownership of the soil by those who cultivate it—the end for which the Irish Land League was formed, and to aid it in obtaining which auxiliaries all over the world have for two and a half years put forth their efforts and contributed their means; thus furnishing a pretext for the terrible act of coercion now pending in the British House of Commons and sure to become law. Viewed from any standpoint or in any light the foul deed is one that admits of no palliation.

The Monroe County Land League further takes occasion to reaffirm the platform of peaceful agitation for the overthrow, by lawful means, of the feudal system of land tenure that is the curse of Ireland, and the establishment in its stead of a people's proprietary. And also to disclaim any connection whatever with organizations here or elsewhere, open or secret, that advocate armed rebellion by the Irish people against the British government, which, under existing circumstances, would be madness, or encourage irregular and irresponsible violence and bloodshed, which, under any circumstance, would be worse than madness.[91]

The Government now repeated a former mistake. The Coercion Act had preceded the Land Act, and now the Prevention of Crime Bill was made to precede the Arrears Bill. When the Home Secretary, Sir William Harcourt, introduced the bill for the repression of crime in Ireland, May 11, 1882, it provided special tribunals to try cases without a jury in those places where the ordinary law is not observed, it gave power to search houses by day or night, to deal summarily with suspicious night prowlers and members of secret societies, to arrest and remove dangerous foreigners, to repress summarily unlawful meetings, and to suppress seditious and inflammatory newspapers. The Lord Lieutenant was empowered to proclaim districts to which this act was to apply, and to appoint additional police necessary at the expense of the districts concerned, which were also required to give compensation for murder and outrage committed within them.[92] Michael Davitt, who had been released from Portland Prison

May 6, 1882, in his speech at Manchester a fortnight later, exposed clearly the error of this fatal dual policy of English statemanship that, side by side with the concessions on the arrears question, flung this "outrage upon liberty, personal and political,.....like a brand into Ireland to excite again angry passions which lead to lawlessness and crime." He was confident "that if the healthy feeling of horror which was created throughout Ireland by the Phoenix Park tragedy had been permitted to have its full effect upon the popular mind of the country, that assassination would have been assassinated in Ireland by the melancholy event of the 6th of May." He, therefore, warned Gladstone that the new measure of coercion would make him the greatest promoter of "the secret powers with which he pretends alone to grapple.....If the Land League is to be prevented from succoring the evicted, if every channel of political effort not favorable to Whig legislation on the land question is to be closed up, then indeed will the whole situation be surrendered to the secret movement, and *lex talionis* become the only refuge of despair. As the moral responsibility of the outrage epidemic of the past twelve months must, in my humble opinion, rest upon the Whig administration for its coercive incitation to vengeance, so must the crimes that will follow additional coercion be placed at the same door."[93] These words fell on deaf ears, as far as the Government was concerned, and the Bill became law, July 12, 1882, despite all the Irish members of Parliament could do or say. Fully a month before this, June 10, 1882, the Bishops of Ireland dealt adequately with the situation in the following address to their flocks which twenty-eight of them signed at their meeting in Dublin:

> In the crisis through which Ireland is now passing, and which must long and deeply affect moral as well as material interests, you have a right to expect that your bishops would give you advice and direction and help to remove those perplexities with which the most enlightened as well as the best disposed are now beset. Pressed by the duty we owe you in this conjuncture, and anxious beyond expression for your temporal as well as your spiritual welfare, we have considered at our meeting, amongst other subjects, the present condition of our beloved country, and now hasten to communicate to you the result of these deliberations. Let us premise that in forming our judgments we have been influenced chiefly by the consideration of your spiritual interests, and have been solely

guided by the dictates of conscience, and by the ever just and beneficent law of God.

To you, the devoted children of the Catholic Church, enlightened by faith, and obedient to Divine precept, seeking first the kingdom of God and His justice, to you as to ourselves it is and must be an undoubted truth that, in all questions, social and political, as well as religious, the law of God is our supreme and infallible rule; that what is morally wrong cannot be politically right, and that an act which God forbids us to do cannot possibly benefit ourselves or our country. Applying those principles to events every day occurring around us, and to the important questions which now absorb the attention of our people, we see dangers against which we must raise our warning voice, and not a few excesses which we must deeply lament and unequivocally condemn. It is true that on religious as well as political grounds it is the indisputable right of Irishmen to live on and by their own fertile soil, and be free to employ the resources of their own country for their own profit. It is, moreover, the admitted right and often the duty of those who suffer oppression, either from individuals or from the State, to seek redress by every lawful means, and to help in obtaining such redress is a noble work of justice and charity. On these grounds, it is that the object of our national movement has had the approval and blessing, not only of your priests and bishops, but of the sovereign pontiff himself, and has been applauded in our own and far countries by all men of just and generous minds, without distinction of race or creed. It must, however, be well known to you, as indeed, it is to the world at large, that, in pursuit of our legitimate aims, means have been from time to time employed which are utterly subversive of social order and opposed to the dictates of justice and charity. It is to those unlawful means we desire to direct your attention, and especially to the following:

1st. Refusing to pay just debts when able to pay them.

2nd. Preventing others from paying their just debts.

3rd. Injuring the neighbor in his person, his rights, or property.

4th. Forcibly resisting the law and those charged with its administration, or inciting others to do so.

5th. Forming secret associations for the promotion of the above or other like objects, or obeying the orders of such condemned associations.

Under each of these heads numerous offences, more or less criminal, have been committed, fearfully prominent amongst them being the hideous crime of murder, which even at the moment we address you horrifies the public conscience, disgraces our country, and provokes the anger of Almighty God against all and each of these offences. We must solemnly protest, in the name of God and of His Church, and we declare it to be your duty to regard as the worst enemy of our creed and country the man who would recommend or justify the commission of any one of them; we solemnly

appeal to all our flocks, especially the youth of both sexes, not only to have no connection with secret societies, but to condemn and oppose them, as being hostile alike to religion and to social freedom and progress.

Let us now assure you that the national movement, purged from what is criminal, and guarded against what leads to crime, shall have our earnest support and that of our clergy. A considerable instalment of justice has within the last few years been given to the tenant farmers of Ireland. To them and to those other classes of our countrymen, especially to the labor class, much more is due. It is your duty and ours to press our claims until they are conceded. In every peaceful and just movement of yours, the clergy shall be with you; but you must not expect them to do what in conscience they condemn. They cannot be sowers of hatred and dissension amongst their flocks; they cannot, under any pretext, tolerate, much less countenance, lawlessness, and disorder. They will work manfully with you and for you; but in the light of day, with lawful arms, and for just and laudable objects; and we feel assured that your filial obedience to their instructions and to the admonitions given in this brief address will bring down the Divine blessing on your country, save it from the evils with which it is threatened, and lead it speedily to prosperity and peace. Before concluding, we feel it our duty to declare, without in any sense meaning to excuse the crimes and offences we have condemned, that in our belief they would never have occurred, had not the people been driven to despair by evictions and the prospect of evictions for non-payment of exorbitant rents; and furthermore, that the continuance of such evictions, justly designated by the Prime Minister of England as sentences of death, must be a fatal, permanent provocative of crime; and that it is the duty of all friends of social order, and especially of the Government, to put an end to them as speedily as possible and at any cost. Earnestly beseeching our loving Lord to bestow on you and our afflicted country the wisdom, piety, and fortitude of His Divine Spirit, and to teach you to prefer the treasures of His grace to all the goods of this earth, we heartily impart to you our pastoral blessing.[94]

In an address to the Clergy of the same date, the Bishops prescribed rules of conduct for the priests. These were based upon instructions recently received from Rome. For Propaganda wrote the Bishops 1, to see that priests never treat of politics or kindred affairs in Church, especially in sermons and the preaching of God's Word, in which priests shall all the more avoid entering upon discussion of the present disturbances; 2. to temper the too great ardor especially of the younger clergy in these matters, not to allow all indiscriminately to attend meetings to make speeches or to hear them,

rather to select for that some prudent wise priests who know how to restrain the minds of the people within the limits of justice and charity. The Irish Bishops recalled, therefore, to the minds of their priests the previous decrees of the Synod of Maynooth against the introduction of mere secular subjects in the discourses of the clergy in the churches, which were limited to the exposition of the mysteries of the Faith, of the Sacraments, of the Commandments of God, and other matters pertaining to religion. Some Dioceses had already prohibited priests from attending public meetings outside of their parishes without the express consent of the parish priest of the parish in which such meetings are to be held. This law was now made general and obligatory in every Diocese of Ireland. Furthermore curates could not attend such meetings without the consent of the same parish priest, and if there was any difference of opinion amongst the clergy on the expediency of attending a meeting, priests were not to act in the question till the Ordinary of the Diocese, where the meeting was to be held, gave his decision. Propaganda touched upon a third point, in their instructions, which did not concern priests directly, but the Bishops themselves. They were enjoined to examine with special industry the Ladies Land League for clear dangers to female modesty which necessarily were to be wholly avoided, and it seemed to Propaganda that political activities and societies of women regarded generally in themselves were hardly to be tolerated. If Archbishop McCabe, who had recently returned from Rome a Cardinal, was still as hostile to the Ladies Land League, as he had been at its first appearance, he failed to obtain a condemnation of this charitable society from the corporate body of Irish Bishops. They simply declared: "Nothing should be done that could draw the women of Ireland from that retirement which is the safeguard of their modesty, and the impregnable fortress of those powers with which God has invested them. Of the great model of true womanly dignity and virtue it is said that even in her mission of charity she travelled on her way *cum festinatione.* Thanks be to God, we have in our midst multitudes of holy women engaged in deeds of highest charity, and of them it may be said: *nec exaudietur vox ejus foris.*" The Bishops then concluded: "By our obedience to the principles here laid down for our guidance, the

clergy will retain the confidence and respect of their devoted flocks; the women of Ireland will continue to be the glory of their sex and the noble angel-guardians of stainless modesty; and the people, sustained by the powers of religion and the influence of domestic virtues, which the pious wives and daughters of our race shall, please God, always defend and foster, will form a power before which crime and oppression must disappear from our land."[95] The delicate matters here treated were easily susceptible of misunderstanding, and July 11, 1882, Archbishop Croke felt himself obliged to write the Editor of the Dublin *Freeman's Journal:*

> Your Drogheda correspondent has led you and the public astray in at least two important particulars as regards the import and provisions of the Circular-Letter which His Grace the Primate is said to have read for the clergy of the Deanery of Drogheda, assembled yesterday in conference.
>
> The first resolution of this important Circular, according to your correspondent,
>
> "Directs the clergy to give no support or countenance to the Ladies' Land League, as it was calculated to exercise an undue influence over and weaken the foundations of maidenly modesty."
>
> No such resolution was passed by the assembled prelates, nor does it, or anything like it, appear in the Circular-Letter read for his clergy by the Archbishop of Armagh. The Bishops have issued no condemnation whatever of the Ladies' Land League.
>
> Again, "the third resolution", says your correspondent,
>
> "Forbids any curate to attend any meeting, either in or out of his own parish, without the consent of his parish priest."
>
> This, too, contains a misstatement. There is no such resolution.
>
> The truth is, that the regulation as actually set forth in the Circular concerning the attendance of priests at public meetings will be found in practice to be a very harmless affair indeed, especially when it is borne in mind that, in case of a difference of opinion between the Pastor and his curate as to the expediency of attending a particular meeting the matter is to be referred to the Ordinary of the Diocese, who, I feel convinced, will never interfere with the civil rights and liberty of his subject without ample and evident cause.[96]

The very next day after Archbishop Croke wrote this letter in Thurles, Ireland, there was celebrated the anniversary of Bishop McQuaid's consecration in Rochester, New York. After the Pontifical Mass, the Diocesan conference of the clergy was held. Bishop McQuaid, who had been an attentive observer of the developments in Ireland, had

received a copy of the *New York Freeman's Journal,* containing the full text of the Irish Bishops' Address to the People, and he now seized upon the opportunity offered him by the gathering of his clergy in the way which he himself describes in his Diary:

> After the Conference read to the Clergy my sermon of last December on the resolutions of the Chicago Convention—the pastoral of the Irish bishops on the Land League, etc—pointed out the similarity between my sermon and the pastoral—Remarked that after all the abuse I had received, people were beginning to see that I was about right. Many, however, had the manliness to own up that they had blundered—Condemned in strong language the abusive course of the Buf. Cath. Union toward the bishop of Rochester, aggravated these late days by copying a sensational article about the Sisters of St. Joseph from the Rochester *Post Express.* I gave all to understand that a priest of this diocese continuing to take the paper meant to take part in these insults offered his bishop and diocese. Later action with the laity would be determined by the future management of the paper.[97]

Chapter XXV

CONCILIAR LEGISLATION

Difficulties between bishops and clerical malcontents as well as troubles of various kinds amongst the laity made new conciliar legislation advisable in the United States. Furthermore, a number of very important decrees had been promulgated for this country by Roman authorities touching upon matters of vital interest that had not been worked into local legislation. Thus, Cardinal McCloskey wrote, February 5, 1883, that obstacles had arisen to prevent the convocation of a provincial council in New York ever since the time of the Second Plenary Council of Baltimore, though that council and later the Ecumenical Council of the Vatican had passed most useful laws that could find more efficacious promulgation in a provincial council.[1] There had been no such council in New York for twenty-two years. Finally, there was also urgent necessity of warning the people against the danger of secret, oath-bound societies, the entering wedge of which into the body Catholic in the United States was Irish agitation in some of its phases, according to the fears of Bishop McQuaid. This also had other effects, as Bishop McQuaid intimated to Bishop Gilmour, February 27, 1883:

> What you write me about Cardinal Howard coming to America is news to me. However, I am not in the way of hearing news. Personally Card. Howard would be more acceptable to me than any other member of the Sacred College. He is a gentleman and would do no eaves-dropping work, nor would he have a kitchen cabinet. Yet his appointment to the U. S. would be unfortunate, as it would stir up the ire of our Celtic friends to a degree Rome has no conception of.
>
> We bishops, shunted off on sidetracks, can do but little toward a settlement of the question of Agent to Rome or from Rome to this country. We are not taken into account in the matter. Any interference on our part would be regarded as meddlesome impertinence. This condition of things will continue until Metropolitans hold stated meetings, as in England and Ireland, for private consultation as a means to uniformity of action. At present, the rule seems

to be: every man for himself and the devil catch the hindmost. So we have diversity of action, conflicting opinions, weak and uncertain legislation, and discipline consequently going to the dogs by default. Rome would not send an agent here, if Metropolitans protested against it. It will be a downright misfortune for the Church in the U. S., should she do so.

I am now writing a long letter to Cardinal Simeoni, asking for information in certain points connected with the *Instructio* and the *Responsa ad dubia.* I tell him that I do so as a member of the commission *de disciplina,* preparing the matter for the Council; that I wish to clear up all difficulties for the correct and smooth working of the *Instructio.* His answers, if I can get them, will settle many things to our great comfort.

How does Bishop Spalding stand in regard to the question of an Agent? He is now in Rome. He is well able to present his view of a case and make it appear the right one. His practical experience as a working priest has been *nil.* I am afraid he will not help our cause, being too much taken up with the University scheme.

Just after writing the above, I received a letter from a priest of my diocese who is staying in Rome to prosecute his studies in Canon Law, etc. He writes:

"Bp. Spalding has left for the East. He is to be absent three months in Palestine, etc. His pet work, the American University, has fallen through completely, it seems, *ut erat expectandum.* I have heard many reasons why; but can say nothing for certain. Now, they say, he is working for a National Council. Moreover, they say, Rome would gladly see three or four American bishops delegated to Rome by the American bishops. They should stay here for a time, long enough to settle affairs, or to prepare things for a future National Council."

I don't know the source of his authority or who are the "they say." It is good anyhow to have them pondering over your word of advice.[2]

Thus, Irish feeling was running high, so high indeed that Bishop McQuaid judged the rumored mission of a Cardinal of English nationality to America as most inopportune, while he himself, for other reasons, was still unalterably opposed to the appointment of a Roman agent to this country. Rumors were evidently thick on this score, as he wrote Archbishop Corrigan, May 23, 1883: "I am inclined to think that Persico will be here again as Delegate etc. If he were not such a born schemer, he would do well until he fled from the field of battle with a broken heart. He has a very large and open ear and loves gossip. It will be very perilous to send us an

Italian now, as our Celtic friends are disposed to cry down an Italian Church and rule. The political phase of our trouble will have to be met in the course of the next year."[3]

Some hostile feeling had developed out of Roman intervention. Interpellations had been made in Parliament as to Mr. Errington's mission at Rome in behalf of the British Government against Irish agitation. Gladstone himself informed Cardinal Newman that "he is not an official servant, but an independent Roman catholic gentleman and a volunteer," who "will I hope have brought the facts as far as he is able to the knowledge of his holiness." This was hardly enough for the Prime Minister, and so he appealed to Cardinal Newman, December 17, 1881, for help from Pope Leo XIII: "You will hardly be surprised when I say that I regard him, if apprised of the facts, as responsible for the conduct of these priests. For, I know perfectly well that he has the means of silencing them; and that, if any one of them were in public to dispute the decrees of the council of 1870 as plainly as he has denounced law and order, he would be silenced."[4] Although Cardinal Newman warned Gladstone against overrating the Pope's power in political and social matters, Propaganda gave directions to purge discourses in church of politics, and to restrict and regulate attendance of priests at popular meetings. Leo XIII, August 1, 1882, and January 1, 1883, highly approved the measures adopted, June 10, 1882, at the Dublin meeting of the Irish Hierarchy.[5] These steps provoked some criticism here and there, but the obvious prudence of the directions disarmed any real opposition. This was not the case with the following circular letter from the Propaganda to the Bishops of Ireland, May 11, 1883:

> Whatever may be the case as regards the person of Parnell and his plans, it is, nevertheless, ascertained that many of his followers have, in many cases, adopted a line of conduct plainly at variance with those things stated by the Supreme Pontiff in his letter to the Cardinal Archbishop of Dublin and contained in the instructions of this Sacred Congregation, unanimously accepted by the Bishops of Ireland at their very recent meeting in Dublin. For, indeed, according to these commands, it is lawful for the Irish to seek relief from their distressed fortune, it is lawful for them to contend for their rights. Nevertheless, that divine precept is always to be observed: there must first be sought the Kingdom of God and His justice; but it is wicked to maintain unjustly a cause, however just.

Furthermore, it is the duty of the entire clergy, and especially of the Bishops to temper the excited minds of the multitude and to recall them to justice and necessary moderation in all things by timely admonitions, lest they be led by more vehement passion to see improvements of things in fallacious judgments or to place the hope of the common weal in shameful crimes. Hence, it follows that it is not permitted to any of the clergy to depart from these rules or take part in or to promote movements not in the least in agreement with prudence and the endeavor to placate men's minds. It is certainly not forbidden to contribute money for Irish relief; on the other hand the aforesaid Apostolic commands wholly condemn collections proclaimed to inflame the passions of the people, so that men may easily be able to abuse them for entering upon turbulent plots against the laws. However, they must above all keep free from those, since it is clearly evident that thence hatred is aroused, distinguished men are vilified, and there is in no way reproval of the crimes and murders with which criminal men stain themselves. This is especially the case where the measure of true love of country is said to be weighed by the money contributed or refused, so that men seem to be brought to these things, as it were, by force and fear.

Under these circumstances, it must be patent to your Lordship that the collection called the *Parnell Testimonial Fund* cannot be approved by this Sacred Congregation, and consequently, ecclesiastics, but especially Bishops are not permitted to commend or promote that collection in any way.[6]

The *Union and Advertiser,* May 28, 1883, sanely remarked that Mr. Parnell himself was not discredited by some of his followers. The Press also carried, in its telegraphic dispatches, June 13, 1883, an interview of Cardinal Simeoni himself to the *New York Herald's* Roman correspondent, according to which Roman intervention was only in the interest of discipline and morals, endangered by Irish and American agitators. Censure was directed not against Parnell, but against the immoral conduct of these revolutionaries, as neither agitation at public meetings nor the attendance of priests at such was forbidden. The attack on the *Parnell Testimonial Fund,* in fact, stimulated contributions, and December 11, 1883, about £38,000 were presented to Parnell at a public banquet. Subscriptions were also taken up in this country. The State of New York was pledged to raise $25,000 for the Parnell Fund, of which $700 was to be the Rochester quota.[7] American Bishops prudently abstained from any action in the matter, except to raise the voice of warning against secret, oath-bound societies.

Meanwhile, there was considerable conciliar activity in America, and Bishop McQuaid had an idea that Rome might wait to see the mind of the American Church revealed in the Provincial Councils: "If, therefore, we could find out what the others have done, and could adopt substantially as our own whatever we find acceptable in theirs, Rome would, no doubt, approve of all such harmonious decrees. New ideas in discipline puzzle her until she finds that there is a certain *consensus* among those interested."[8] Accordingly, Bishop McQuaid notified Archbishop Corrigan, February 15, 1883: "I send you by Express the preparatory *schemata* of the Cincinnati Council, which Bishop Gilmour had the kindness to send me. You will notice by the marks what was accepted and what was rejected. Some decrees were erased in one place because found in another."[9] Preparatory work on the Provincial Council progressed so far that Bishop McQuaid was able to write Archbishop Corrigan, May 14, 1883:

> I have received four sheets of the Council matter. It reads well and will not require much alteration, so I think. Of course, there are points that may need change and fuller statement.
>
> Please to let me know what paraphernalia bishops will have to bring with them. At a Provincial Council, do not Bishops wear the mozetta and not the manteletta? What is our dress at the Requiem Mass?
>
> I have been quite busy with one thing or another, and so had no time to prepare the sermon. Yesterday, however, I made a beginning and outlined its form. There a difficulty arises. What kind of a sermon shall be preached when the ceremonies must necessarily be very long? If his Eminence celebrates, it would be brutal to be long. Yet I don't see how to put much in a short discourse. Perhaps the best would be to write the whole sermon, deliver portions of it, and put the manuscript in the hands of the printers. I dislike this kind of business, but I see no other way to do.[10]

The Provincial Council had been indicted for June 3, but the bad health of the Cardinal, Archbishop McCloskey, made necessary the postponment of the Council till the following September.[11] Bishop McQuaid earnestly hoped that the aged prelate would then be strong enough to preside: "It will be a serious loss to be deprived of his wisdom and experience in our deliberations and actions." Yet there was some good in delay: "The postponment will give us time to get the matter of the Council in good shape. All that I have read

pleases me very much. There are points that may have to be altered to advantage and improved. They can all be gone over this summer."[12] Nevertheless, Bishop McQuaid could not shake off the conviction that the Cardinal's physical condition was the beginning of the end: "He has only been kept alive by great caution on his part and great care on the part of his attendants. When these fail, he will go quickly. It would have given every one great pleasure to have him preside at our Council, making this the crowning act of a long and glorious career."[13] Indeed, all were well pleased to find the Cardinal in sufficient strength to preside at the Council in autumn. Its first solemn session was held Sunday, September 23, 1883. After the solemn Mass in the presence of the Cardinal, Bishop McQuaid preached to the people to whom he said in part:

> It is the office of Diocesan Synods and Provincial Councils to watch over the various members of the body of Christ; to strengthen what is weak, to raise up what is desponding, to rub off what is diseased and gnarled, to enlighten what is dark, to bring back what is wandering away, to keep all in "the one spirit who were baptized into the one body."
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> The human element in the membership and government of the Church comes under natural laws, always lowering, downward and selfish in their tendency. To give an upward direction to man's desires and action is the appointed work of the Church, which, in her councils and synods chiefly, she labors to effect.
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> This human element, not well guarded by Catholic teachings and practices of religion, falls readily under the influence and seductions of prevailing social customs and bows down before the demands of false political principles. Errors in social and political life, compressed in one taking word or phrase, are embraced by the multitudes. Fascinated by the promise of the word or phrase, they fail to see and comprehend the hidden danger.....
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> It is just with such words as liberty, equality, and fraternity that the revolutionist of today rallies his forces and rushes into battle, not to save, but to destroy. They are the words of hope and cheer which Christ Himself gave. There is nothing higher and nobler than the liberty of the children of God, than the heirship of the Kingdom of Heaven, than the brotherhood of Christ. Man's dignity is lowered when he is asked to descend from the exalted position Christ gave him to find happiness and the realization of his aspirations in a liberty that means license, in an equality with-

out justice and selfsacrifice, and in fraternity, selfish and earthly, a meaningless word, when the realities of life begin.

* * * * *

Natural defects and imperfections are incidental to clerics and laymen. The graces of vocation and ordination are powerful to make the weak man strong and brave. These graces are largely given, but may be lost and thrown away. The laws of the Church, as enacted in synods and councils, tend to shield the cleric and hedge him around with many safeguards. His early training, his life of celibacy, his seclusion from the world, his dwelling in the sanctuary, his daily dealing with holy mysteries, are protections against his own foibles and cautions against deadly sins. The cleric enlists the chief attention of the Church in her synods and councils. Hence the earnestness with which council after council enjoins on Bishops, priests, and monks the strict observance of the rules set for their guidance, and enforces compliance with these rules by decreeing severe penalties. While the laity are not forgotten in these assemblies of clerics, the spiritual advancement of the latter seems to be the chief concern.

It is right that the dignity and honor conferred on the clerics should be met by corresponding obligations. Chosen to minister at the altar and to be another Christ, the priest should show forth in his daily life and walk a consciousness of the sacredness of the office entrusted to his care. A preacher of divine truths, he should be a doer of good works. A shepherd to lead his sheep to wholesome and nourishing pastures, he should feed where his sheep feed. In a word, the more exalted the office, the weightier the obligation. The rights of clerics are many and exceptional; their duties are the same. Councils take cognizance of both.

....In the generous and zealous co-operation of the laity, priests will have their hands upheld and their souls encouraged. The rights of the laity as members of the great body of Christ will be recognized more and more. While this co-operation has consisted chiefly of the sacrifices of earthly goods and the furnishing to religion of assistance in material and pecuniary help, there is demanded something higher and holier. The generous loyalty of true believers to the Church and her ministers will be expected. This loyalty will be shown in words and conduct.....But co-operation does not imply dictation.

....This is a country in which the people rule. The legitimate form of our Government places the enactment of civil laws and their administration in the hands of rulers chosen by the people.. There are rights, however, God-given and inalienable, which no number of people can justly take from a minority, and which, indeed, will never be taken, if this minority remains true and loyal to itself and religion. God's Church is with the people and for the people. A Church instituted for all nations and all times does not meddle with the various forms of government known in the world, while

she does concern herself with the principles of order, stability, and justice in monarchy or republic.....The Church never loses sight of the circumstances and political conditions in which she finds her children. She never hesitates or halts when she notes that the domain of God's truth and rights is encroached on by the unwary, the shortsighted, or the ignorant. Within the bounds which guards these rights, she welcomes the energy and daring of an intelligent laity.....

....The young of this country are concentrating around them the malignity of the haters of God, the energy of the heretic, the easy indifference of the unbeliever. It is the old battle under a new army of forces, converging to one point where the feeble and weak are congregated in unguarded homes. The bait of secular education, even without God, catches many an unthinking or careless father. The father sells God and God's law for a mess of pottage, and barters away the child's right to a Christian education in a Christian way, sacrificing the souls of both.....The Bishops of all the countries of Europe, in synods assembled, strike the same note of alarm, and, like true leaders and warriors, marshall their armies of devoted assistants and fellow-laborers to fight valiantly for the cause of Christ in the school room as in the church.....

The birth of our venerated Metropolitan, His Eminence the Cardinal Archbishop of New York, antedates the coming of the first Bishop of this province. Only four priests exercised the ministry within its limits when Bishop Connolly came to this city in 1817. In one man's lifetime, that which was in 1810 a large but uncultivated field, in 1883 gives harassing and exhausting work to eight Bishops governing as many episcopal Sees, laboriously and faithfully aided by over thirteen hundred priests. The number of seminaries, colleges, academies, and schools, of hospitals, asylums, convents, and monasteries, and churches built at the cost of great sacrifices on the part of the clergy, Brothers, and Sisters, with the generous help of a noble people, amazes the examiner, as he looks over the statistics annually placed before all who care to see them.... As each decade passed by with its record of new churches, additional priests and workers in the vineyard, the need of legislation in the interest of order, just rule, and steady progress was felt. Government without adequate legislation perplexed and embarrassed priests and Bishops. Councils and synods were held in the Province and in the Dioceses. This is the fourth council of the Province of New York.

With a deep sense of the responsibility weighing on them, the Suffragan Bishops of this Province, accompanied by learned and zealous priests of their Dioceses, assemble at the call of His Eminence, the Cardinal Archbishop, to consult and legislate on important and vital questions concerning the advancement and welfare of the churches and clergy entrusted to their rule. Under the wise

and prudent guidance of His Eminance, matured by long experience, we approach our task with less anxiety than if that were wanting.

Already have prayers, earnest and heartfelt, ascended to Heaven from devoted children of the Church, that the light of the Holy Spirit might lead their Bishops in the way of wisdom and justice in dealing with the things which affect their spiritual welfare, the prosperity of religion and God's honor. In the same mind and for the same end, our prayers this day go up to God, humbly invoking divine assistance and grace.[14]

Even before the Council, the legislation submitted to its discussion had received careful attention and criticism from bishops and theologians,[15] and so the final work of the Council could be pushed on without being hampered by hardly any delay. The Pastoral Letter addressed to the Laity by the united episcopate of the Province, mainly the work of Bishop O'Farrell of Trenton,[16] insisted just as vigorously as Bishop McQuaid's pastoral of 1878 on the uncompromising hostility of the Church to secret, oath-bound societies and to "any system of public instruction from which religion is totally excluded."[17] These matters, as well as others, affecting the laity received full attention in the decrees of the Council, in the formulation of which no diversity of opinion was apparent. The same spirit of unanimity is also evident in the making of the decrees dealing with the life of the clergy, except in regard to one particular, the fifteenth chapter, *De Judiciis Clericorum,* which was amongst the matter apportioned to the congregation *De Personis Ecclesiasticis,* under the presidency of Bishop McQuaid. The chapter specified, in greater detail than ever attempted before, the *causa gravis et rationabilis* necessary for the removal of a rector from one mission to another, even against the rector's will. The Cardinal, in the fourth private congregation of the bishops, September 26, proposed the omission of this matter from the decrees of the council, as it was to enter into the deliberations of the Metropolitans of the United States, summoned to Rome for November to prepare for a National Council. The Bishop of Buffalo, however, thought it worth while to retain this matter, as it would make known at Rome what was desired in this region. The Cardinal then consented to have the matter remain as it had been formulated, on condition that a note be added to the effect, that the article had been drawn up before the Archbishops were summoned to Rome. All the Bishops

agreed to this.[18] Nevertheless, the action of the Fourth Provincial Council of New York could have had little influence in the matter, as its proceedings seemed to have been pidgeonholed by Propaganda. As late as January 18, 1886, Bishop McQuaid informed Archbishop Corrigan that he had written "a pretty sharp letter" to a friend resident in Rome "in relation to the ignoring of the Provincial Council of New York, giving permission to communicate its contents where they may do good."[19] Its Acts and Decrees were, finally, acted upon by Propaganda, July 8, 1886, and approved by Pope Leo XIII three days later.[20] The fact of the matter was that the Fourth Provincial Council of New York had been almost totally eclipsed by the Third Plenary Council of Baltimore, to prepare which the Archbishops had met at Rome in November, 1883. Bishop McQuaid had also been quite anxious about the results they might be able to attain. When he learned, the previous Summer, that some of the Archbishops had enlisted the services of other men, he observed to Archbishop Corrigan:

> It is not so much increase of learning that will be required as a stiffening of the backbone. Of course, if these American Archbishops undertake to decide for themselves what will answer the American Church, without a free and full understanding with their brethren in the episcopate, they will have to bear alone the burden of failure, if failure there should be. We cannot speak until we know what Rome purposes to submit to our consideration. To all the obstacles presented by an obsolete Canon Law, not adapted to our times and circumstances, we can say firmly and without flinching: "What you propose, is not practicable in our country and among our people." When a principle is at stake, there can be no yielding. But just as radical changes in questions of discipline and the routine of government are coming over all the countries of Europe day after day, so in a country whose rulers are the people, changes and adaptations in forms and methods of administration should not be slow in action.
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> I had a very pleasant visit from Archbp. Williams. We talked over the approaching meeting and discussion in Rome. He gave me a better opinion of Archbp. Feehan than I had. I regarded him as a weak man. Rome admires strong men, with clear heads, who, while always respectful in language, yet stand in their convictions, when they have reasons for them, without yielding to suggestions for a *combinazione*.[21]

The Roman authorities showed their wisdom in consulting a meeting of American Prelates at Rome, in the presence of the Cardinal Prefect of Propaganda, before drafting the Schema of church legislation to be submitted for action to the Third Plenary Council of Baltimore.[22] Rome was also wise in appointing an American Prelate, Archbishop Gibbons of Baltimore, as Apostolic Delegate, to preside over its deliberations, as the presidency of a foreign prelate would have proved extremely distasteful to many. Some preliminary work was still to be done in America. For, it was planned to have a course of sermons preached while the Council was in session. Bishop McQuaid, whose power as a pulpit orator was well known, naturally was chosen to be one of the preachers. The invitation was extended to him by Dr. Foley, in the name of the Archbishop, and called forth the following reply from Bishop McQuaid, June 21, 1884:

> I acknowledge remissness in replying to your former letter, but like all culprits I abound in excuses. I was unable to make up my mind to accept his Grace's invitation because of my own diocesan work, which is this year of an unusual amount. It is the year of the canonical visitation of the diocese. I hope, however, to get through by the middle of October, and then find time to prepare the sermon designated for me.
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> "The progress of the Church in the United States" means, I suppose, the story of the headway made by the Church since the establishment of the first episcopal See, together with such remarks as my judgment may lead me to make upon the checks and impediments incidental to our circumstances, hindering a yet larger growth.
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> It would not do for me to encroach on the domain of another preacher, and, if another should have a subject akin to mine, it would be advisable to inform me in time.
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> I hope the Archbishop will pardon the delay, all the more that, if I had sent an answer a month ago, it would have been in the negative.[23]

Bishop McQuaid's published schedule of work certainly proved it to be of an unusual amount. The first fortnight of the visitation was allotted to the episcopal city with the following appointments: the Cathedral, Sunday and Monday, May 11 and 12; St. Joseph, Tuesday, May 13; SS. Peter and Paul, Wednesday, May 14; Our Lady of Victory, Thursday, May 15; Immaculate Conception, Friday, May 16; St. Bridget,

Saturday, May 17; St. Boniface, Sunday, May 18; Holy Family, Monday, May 19; Holy Redeemer, Tuesday, May 20; St. Michael, Wednesday, May 21; St. Mary, Sunday and Monday, May 25 and 26. Ascension Thursday fell upon May 22, that year, and on that day Bishop McQuaid had to be at the Cathedral and also had to give Confirmation at Holy Redeemer's. He had to be at the Cathedral again on Pentecost Sunday, June 1, and so he was scheduled to visit Brockport, Tuesday May 27; Spencerport, Wednesday, May 28, and Charlotte, Thursday, May 29, all towns in easy reach from Rochester. The day after Pentecost Bishop McQuaid planned to set out upon a longer tour. He was to be at Canandaigua, Monday, June 2; Clifton Springs, Tuesday, June 3; Geneva, Wednesday, June 4; Seneca Falls, Thursday, June 5; Union Springs, Friday, June 6; Scipio, Saturday, June 7. The next three days he was to spend at Auburn, visiting Holy Family, Sunday, June 8; St. Mary, Monday, June 9; St. Alphonsus, Tuesday, June 10. Rochester now claimed more of the Bishop's time with Confirmation at the Cathedral on *Corpus Christi*, June 12, a Triduum and Confirmation at the Sacred Heart Convent, June 17-20, Commencement Exercises at the Sacred Heart Academy and Nazareth Academy, June 25, and the Anniversary of his own consecration, July 12. Yet he managed to plan a visitation at Lima, Sunday, June 22; Livonia, a week later, and Avon, July 6. Hemlock Lake Farm must have occupied his attention for some time meanwhile and thereafter, as there is no other visitation set for that month, except Honeoye Falls, Sunday, July 27. He was to begin the work again with two days at Dansville, St. Patrick, Sunday, August 3; and St. Mary, Monday, August 4. This was to be followed by a visitation at Scottsville the following Sunday, August 10, and at Churchville, Monday, August 11. After an intermission of three weeks, hardly a day was to be without a visitation. He was to be at Fairport, Sunday, August 31; Macedon, Monday, September 1; Palmyra, Tuesday, September 2; Lyons, Wednesday, September 3; Clyde, Thursday, September 4; Weedsport, Friday, September 5; Ithaca, Sunday, September 7; Trumansburgh, Monday, September 8; Ovid, Tuesday, September 9; Penn Yan, Sunday, September 14; Stanley, Monday, September 15; Victor, Sunday, September 21; East Bloomfield, Monday, September 22. The retreat for the

clergy, Monday evening to Friday morning, September 22-26, gave Bishop McQuaid a change of occupation, but he was to finish the work of visitation the next few days after the retreat. He was to be at Greece, Sunday, September 28; Ridge, Monday, September 29; and Webster, Tuesday, September 30. To prepare his people for this visitation, Bishop McQuaid ordered the following Pastoral to be read, in the Churches, May 11, 1884:

> The excellent results, flowing from the preceding visitations would satisfy all of their usefulness, even if the Church left us free to dispense with the holding of them. Bishops are commanded to visit in person, if possible, all the churches of their diocese once a year, or at least once in three years. The Second Plenary Council of Baltimore, in its 86th decree, reminds bishops of the teaching of the Council of Trent with regard to diocesan visitations and warns them that this duty should not be performed in a hasty or perfunctory manner, but that, moved by zeal for the salvation of souls, the prescriptions of the Roman Pontifical shall be followed. Among the questions the bishops have to answer, in making their visit *ad limina*, is this one: When has the diocesan visitation been held and have the canonical prescriptions been followed?
>
> Your attention is called to these teachings of the Church, because, owing to the exceptional condition of the Church in these United States in past years, the Episcopal visitations have been well nigh impossible. Dioceses, covering one or more states were too vast to be reached often by bishops; parishes, spreading over several counties, gave the pastor little time to do more than to administer to the spiritual wants of his flock in the simplest form possible. Churches were few and the few far apart; they were scantily furnished with the utensils and ornaments needed for worship and the sacraments. Priests were overburdened with labor and distracted by harassing anxieties and vexations. The people, little understanding the troubles of their pastors, were often exactors of his services, while unwilling to come to his help; they were so scattered that it was difficult to reach them even for the most elementary and necessary services of religion; they seldom heard the word of God, and their children were unsystematically prepared for the reception of the sacraments, if they received them at all; parents and children, who seldom saw a priest, too often knew him only as his enemies painted him. These days of small and rude beginnings are rapidly passing away. Dioceses of more contracted limits enable bishops to visit pastors and missions with facility; churches are many in number; they are large, well-constructed and well appointed. Our diocese is singularly blessed in the number of churches, their proximity one to another, their completeness and beauty for divine worship. Our pious people have shown the

warmth of their faith by their readiness and generosity in providing whatever could be reasonably asked of them for the adornment of the altar and church. It is a pleasure for the bishops of the diocese to visit church after church and witness the zeal of pastors and the piety of their flock, as is almost invariably the case in this diocese of Rochester. There is little room for fault finding, while there is ample cause for congratulation. Still, no matter how well all may be in a diocese, it is a duty imposed on a bishop to visit the parishes of his diocese to see that no laxity is allowed to creep in, that registers and records are well kept, that vestments and linens are suitable and sufficient, that altars, confessionals and the baptismal font are in order and becoming, that the church is in a good state of repair and ample for the accommodation of its members.

"But," as the Council of Trent says, "the principal object of all these visitations shall be to lead to sound and orthodox doctrine in banishing heresies; to maintain good morals and to correct such as are evil; to animate the people, by exhortations and admonitions, to religion, peacefulness, and innocence, and to establish such other things as to the prudence of the visitors shall seem for the profit of the faithful, according as time, place, and opportunity shall allow." According to the Fathers of the Council of Trent, it is clearly the duty of the bishop to exercise his office of preaching by announcing the Sacred Scriptures and the divine law, and to know that they who hold the office of pastors in the various churches of his diocese are also faithful to the obligation of preaching the Word of God. Bishops are also enjoined to take care "that, at least, on the Lord's Day and other festivals, the children in every parish be carefully taught the rudiments of the faith and obedience towards God and their parents by those whose duty it is and who shall be constrained thereunto by their bishops, if need be, even by ecclesiastical censures."

As the labor of the pastor becomes restricted to one church and within narrower territorial limits, his attention and work will be more closely directed towards church duties. The happy state of affairs, warranting the excellent rules of canon law, by which the pastor's residence close by the Church, will put it in his power to provide his flock with daily Mass, is near at hand. His presence in the confessional and his attendance at the bed of sickness will be surer when his services shall be confined to one mission. In the settled parts of the country, we are able to thank God that the missionary phase of the church's life is coming to an end. As the most pressing wants of religion in material things, viz. church edifice, school houses, and parsonages are provided, and in a great degree paid for, the priest's life is freed from the unpleasant and incessant scheming to raise money. This freedom gives the pastor more time and courage to look after religious instruction of his parishioners in church and in the school house. He soon learns that

a school to be Catholic needs the vigilance and supervision of its spiritual head. Always at home, he can have time to prepare the children for the sacraments of penance and holy eucharist. It will be no hardship to hear the confessions of children over seven years of age, not yet admitted to holy communion, in the four ember weeks of the year, as a statute of the diocesan synod requires, when a priest has but one church to care for. Equally easy will it be for him to prepare a class annually for first communion, taking ample time to instruct thoroughly all children, old enough and sufficiently intelligent to appreciate the holiness of the sacrament. The rule for the administration of confirmation, in this diocese, is that this sacrament shall be administered in the Cathedral annually; in the churches of Rochester and Auburn every second year; in the other churches of the diocese every third year. It is a mistake to suppose that paucity of candidates for the sacraments exonerates the pastor from the task of preparing these few of his parishioners, or the bishop from bestowing spiritual advantages which his diocesans have the right to receive. As the number of parishes is small, it is considered preferable to have separate services of confirmation and visitation except in a few missions, in which the double labor of visitation and confirmation would be too fatiguing.

An important duty of the bishop is the examination of the church records. The acting trustees of each mission should, once a quarter, balance the financial transactions of the corporation for the preceding three months and make the proper entry in their book of minutes. The historical record of the mission should be kept in a suitable and well bound book. Every incident and fact, likely to be of interest in after years, should be written down. Priests are sometimes indifferent to the importance or significance of occurrences that years hence their successors will read with pleasure and edification. The early struggles of a young mission are often more touching in their narration than that of great achievements in late years of prosperity and magnificent success.

No part of the ceremony of visitation, as laid down in the Roman Pontifical, is more affecting and yet consoling than the tender remembrance of the dead as found in the prescribed prayers for deceased bishops, priests, and people of the diocese and mission, and for all the suffering souls in purgatory. It is the doctrine of the communion of saints beautifully illustrated. Do not fail to remind your parishioners of this compassionate thoughtfulness of holy Mother Church and of their duty also to take part in these prayers for the dead. As we offer up supplications for others, so may we in turn be remembered.

Ordinarily, when a visitation is to be held on a week-day, the official reception, the Episcopal blessing and sermon, and the benediction of the Blessed Sacrament will take place the evening before.

> In all cases, pastors should have an understanding with the bishop regarding the special arrangements for their missions.[24]

The close of the visitation at the end of September left a little more than a month before the beginning of the Third Plenary Council of Baltimore. It opened in the Cathedral of Baltimore Sunday, November 9, and closed a month later, December 7, 1884. It was not until Wednesday, November 26, that Bishop McQuaid preached his sermon, which covered a century of Catholic Church life in the United States, from 1784 to 1884. Half of this time Catholics were so few in number and so mindful of past oppression that they "moved among their fellow-citizens quietly and with exceeding humility and meekness." They were, at most, pitied and tolerated. But pity changed into fear and tolerance into persecution when immigration made Catholics numerous enough to build large and costly churches in some cities, to open colleges and convents, and to multiply bishops and priests. The Second Provincial Council of Baltimore, October, 1833, denounced the nefarious practices of the enemies of the Church, who "openly proclaimed the fancied necessity of not only obstructing our progress, but of using their best efforts to extirpate our religion." The burning of the Ursuline Convent of Charleston, the vile slanders of *Maria Monk's Disclosures* opened a reign of insults and wrongs that lasted from 1830 to 1860. Nevertheless, the character of the immigration from Ireland and Germany was such as to be able to live down the persecution, which ended, in a large measure, with the outbreak of the Civil War, when all the resources of the country were needed to hold together the Union, and politicians could not afford to manipulate the fires of bigotry and blind prejudice for their own selfish ends. During this half of the century, there were many defections, but Bishop McQuaid believed the number to have been grossly exaggerated. On the other hand, the Catholic Church had also experienced a marvellous development in the country, as was eloquently attested by the statistics in *Sadlier's Directory*. After the Civil War, Catholics maintained their prominence in all walks of life and in all classes of society so as to compel "the respect due to their worth and useful citizenship." Only one danger threatened to undermine the foundations of the Church, the public school system, from which religion was excluded by

THE THIRD PLENARY COUNCIL
in St. Mary's Seminary, Baltimore
November 9—December 7, 1884

law. Bishop McQuaid eloquently praised the spirit of self-sacrifice that prompted Catholics, when unable to obtain recognition for just grievances, to gather "their children into their own schools, that therein they might breathe a Catholic atmosphere while acquiring secular knowledge."

> Without these schools, in a few generations, our magnificent cathedrals and churches would remain as samples of monumental folly—of the unwisdom of a capitalist who consumes his fortune year by year without putting it out at interest or allowing it to increase. The Church has lost more in the past from the want of Catholic schools than from any other cause named by me this evening. The 2,500 schools, with a half million of scholars, which now bless our country, tell Catholics and non-Catholics that the question of religious education is settled, so far as we are concerned. The good work so well advanced will not halt until all over the land the children of the Church are sheltered under her protecting care. The establishment of these and their improvement in management and instruction is our surest guarantee of future growth and fixedness.[25]

The work of the Third Plenary Council of Baltimore is grouped under eleven titles, which deal with Faith, the Persons of the Church, Divine Worship, the Sacraments, the Training of the Clergy, the Education of Catholic Youth, Christian Doctrine, Zeal for Souls, Church Property, and Ecclesiastical Burial. The Schema of legislation, prepared under these heads by the Roman authorities with the help of the American Archbishops, was divided up and distributed among twelve deputations of theologians and Bishops to pass through a committee stage before coming up for final action in the Plenary Council itself. Bishop McQuaid belonged to the Fourth Deputation, under the presidency of Archbishop Corrigan, which had assigned to it the legislation on Regulars, the faculty of binating Mass, uniformity in feasts and fasts, observance of Sunday, Sacred Music, and the baptism of converts. This covered all the matter of the Title on Divine Worship, the last chapter of the Title on the Persons of the Church, and the first chapter of the Title on the Sacraments.

The most important part of the legislation submitted to this Fourth Deputation was the chapter on the Regulars. Bishop McQuaid had followed with keen interest the conflict between the English Hierarchy and the Regulars, which ended in the settlement of their mutual relations by the Holy

See in the Constitution, *Romanos Pontifices,* issued May 8, 1881.[26] In the negotiations for this settlement of the difficulty, he felt that the English Bishops gave an example worthy of imitation. For, he wrote Bishop Corrigan, November 20, 1879: "I see that Cardinal Manning and the Bishop of Clifton have returned to Rome. These English Bishops give good lessons which we do not learn. They look after their interests in the right place and with due zeal and intelligence. Our Faith is in Providence and somebody else. I will send you the case of the Bishops vrs. the Regulars. You can show it to the Cardinal, if you think it worth while. Keep the documents for me. They may be useful one of these days."[27] A note written by Cardinal Manning about 1887 gives an interesting account of this prelate's activity in this vital matter:

> My part in the contest of Bishops and Regulars was (1) That in Low Week of 1877 I proposed to avoid all local and personal contention—to draw up one complete statement, lay it before the Holy See, and ask for a Constitution, analogous to the *'Apostolicum Ministerium,'* to regulate, under the Hierarchy, the questions which were in existence also before it was founded. This was unanimously adopted. (2) I went to Rome, then came the election of Leo XIII. I asked him to proceed by way of a Constitution, as it was not a conflict, but a legislative matter affecting the divine order of the Church and the whole Church on earth. This he promised to do. (3) Then, at Cardinal Bilio's suggestion, I asked for a special Commission of Cardinals. This also he granted. These three points were my chief part in the affair; save only I went to Rome again—in all three times—and urged the matter with the Cardinals and the Holy Father till they wished me out of Rome. I went gladly, sick of the heat and the intrigues.[28]

Bishop McQuaid also believed that the question was a vital issue for the entire Church, and consequently also for the American Church. He feared any kind of a settlement but on the merits of the case itself, as he intimated to Archbishop Corrigan, January 20, 1881:

> I heard some time ago that a compromise was sought by some as a settlement of the difficulty between the Bishops and Regulars, but that the Bishops, who know Italian methods well, were unwilling to listen to any compromise. It will be a bad day for the Church in America, if the Regulars carry the day in Rome.
>
> A priest in Toronto, an excellent and pious Frenchman, had charge of an Irish parish in Toronto. He had built a new church,

schools, and parsonage. On New Year's Day, he announced to his congregation that all was paid for. A few days after, he was informed that his parish was handed over to the Redemptorists, and that he might report to the Palace. If this priest were disposed to make trouble, he could carry his case to Rome and succeed, McMaster is loud in praise of the Redemptorists who step in to oust the poor priest. It will not be long before the Archbp. and the Redemptorists will be at loggerheads.

Once these good people get on the weak side of a bishop, the diocese loses and they gain. Fine promises are made only to be broken.[29]

While the question was pending at Rome, Cardinal Manning was subject to great abuse in the press, as he himself notes: "For two years I was assailed by the *Standard, Daily Chronicle,* and Society papers with a mendacious and insolent animosity, which pointed to personal malice. It became so personal and brutal that, at one time, many of the clergy thought of presenting to me an Address of Indignation. I thought it best to wait till Leo XIII had spoken. The *Romanos Pontifices* wiped out the lies."[30] An extension of the provisions of this constitution to the Church of the United States was earnestly desired there, and the Holy See had already signified its readiness freely to grant a petition to that effect.[31] Consequently, the legislation of the Third Plenary Council of Baltimore on Regulars was based primarily on this constitution. This "decrees three things about the relations of Regulars to the authority of Bishops. First, indeed, it explains and decrees what pertains to the exemption of religious houses from Episcopal jurisdiction; then what bears on the ministrations exercised by missionary Regulars, and, finally, questions in regard to property held by Regulars and the use to which it must be put." Exemptions did not free the Regular Clergy, in the position of rector or assistant of a mission, or in the enjoyment of the usual faculties, from the obligation of attending conferences of the clergy or from taking part in a synod or from obedience to synodal decrees touching the care of souls and the administration of sacraments. The Bishop's rights were safeguarded in the division of parishes held by Regulars through freedom to appoint, to the newly erected parish, either a secular or a religious priest. All parochial schools, in regular as well as in secular parishes and missions, were subject to the Bishop's visitation. While

schools and colleges already erected by Religious for the training of the Catholic Youth were maintained in their privileges, Religious could not erect new churches, houses, colleges, schools, without first obtaining an express permission from the Ordinary of the place and the Apostolic See. Finally, Regulars had not to give Bishops an account of what belonged to them as such, but the Bishop had a right to demand of them a financial statement of what belonged to the mission or of what was given them because of the mission in their charge. In fact, as regards money matters, religious parishes were put on the same footing as secular parishes. These provisions of the Constitution were thought sufficient to eliminate friction between the Ordinary and the Regulars of his diocese. Any new difficulties that might arise, nevertheless, were to be settled by the Prefect of the Propaganda.[32] Thus, the Bishops of the United States profited of the labors of the English Hierarchy for a satisfactory settlement of a pressing question.

Of more general application, namely to all the churches of the country, was the chapter on Sacred Music, which subject had been touched upon only incidentally in the Second Council of Baltimore. Here rectors of churches were admonished (No. 361) diligently to see to the elimination of abuses that obtained in the Church Chant "so as to make music minister to the sacrosanct Sacrifice of the Mass and other divine offices, not however the divine offices to music." Moreover, this Council also prohibited songs in the vernacular within the solemnities of Mass or Solemn Vespers. It was, therefore, judged most desirable (No. 380) "that the rudiments of Gregorian Chant be taught and practiced in parochial schools, so that, with the increasing number of those able to sing the psalms well, the majority of the people at least shall gradually learn to sing, with the ministers and the choir, Vespers and the like according to the use of the primitive church still obtaining in various places." This legislation must have been uppermost in Bishop McQuaid's mind when he preached to the first Convention of the St. Caecilia Society at Rochester in 1877, where he rightly maintained the fundamental principle that "Music in Church should raise the heart and mind to God in prayer.....Never should strains that awaken reminiscences of the theatre or opera be heard within

the precincts of the house of God." Abuses along these lines also proved expensive, and so in a drive to liquidate church debts as quickly as possible, Bishop McQuaid ordained April 16, 1882, that "the spending of money for Church music should be kept within bounds. When Catholic Churches need the attraction of expensive choirs to draw a congregation, there is evidence that faith and piety are on the wane; it is of little use to entice non-Catholics to our services by such expedients. No Catholic Church should pay for the services of others than the Organist and Leader. The singing that can be furnished by the voluntary aid of members of the congregation should be deemed sufficient for the requirements of the congregation. While this ordinance made for economy as well as reform, Bishop McQuaid refused to tolerate another abuse even though it cut off a source of revenue. He, therefore, also recalled to mind that "the statutes of the Diocese forbid the use of dedicated churches for the giving of concerts. Under the plea of sacred music, such entertainments are occasionally held in churches for the making of money. The statute on this subject must be strictly observed in the future. Musical entertainments, under whatever name known, must be held in school-halls or other secular halls, when they are gotten up to raise money for churches. Even if no money is charged at the door, but a special collection is announced as compensation for the entertainment, the prohibition holds good." It was one thing to legislate reform and another to put it into execution, even at the Cathedral of Rochester. Bishop McQuaid gave some details of his difficulties in the matter to another Convention of the St. Caecilia Society in Rochester:

> It was up-hill work in this parish when we began a few years ago. We made a contract with one organist who was too much for us, but we had to hold to our contract. But when that ended, the whole thing ended, and we never let another one get the better of us. Then, when we started under the present arrangement, the old choir, accustomed to Mozart, and Hayden, etc., showed their independence of Bishop and priest. Precious little did they care for their Bishop. They were the ones to be knuckled down to. Perhaps, if the Bishop had gone up into the choir and got upon his knees and begged them to have patience, it would be better after a time, some of them might have consented, but I doubt it. But no one went upon his knees; no one asked them to stay. We let them, every one,

go, and then one day I told the congregation just what was taking place, and it was my determination that, if we could not find in the congregation men and women, able and willing to serve without pay for God and religion, and to take part in the singing as in the prayers, then we would fall back upon the children; and if we could not find children in the parish able and willing to sing the simplest kind of a high mass, then in Christ's name we would fall back upon a low mass and a good sermon.

When the new choir made up of raw material from our schools, young ladies and young men from the city, began, they were criticised senselessly and were ridiculed in the newspapers ....When they did not abuse the singers, they abused the old organ. All these critics were anonymous. Some of these young ladies and gentlemen in our choir felt disturbed. I was not, of course. I have been abused often enough in my lifetime not to mind the carping and snarling, but these young ladies and gentlemen never had a word said against them before in the newspapers, and they felt troubled. When the music was not perfect, as in the early days of the choir, I had patience; but when the music was irreproachable, this stereotyped and stale talk against the choir of the Cathedral became unbearable, and then I concluded it was high time for me to take the matter in hand.

That settled it, and the Cathedral Choir of Rochester continued to exemplify real Church Music Sunday after Sunday. Although Bishop McQuaid was not a musician and disclaimed all technical knowledge of the subject, he had been able to obtain this reform of the Cathedral Choir by his conscientious effort to enforce the pertinent legislation of the Second Plenary Council of Baltimore. He was, therefore, also well fitted to serve on the Deputation of the next Plenary Council to which this important phase of divine worship was entrusted. Later he informed the Second Convention of the St. Caecilia Society at Rochester:

At that Council there were various ideas put forth on the question of sacred music, some asking this and some asking that, some wanting nothing but the driest of Gregorian Chants, and others wanting everything known upon the concert platform or the stage of the opera house and demanding that there should be no restriction placed upon the music in our churches. But then and there, if not unanimously, at least with so uniform a mind and with such general consent, the Bishops of the Baltimore Council laid down the law directing what should be the music of our churches; that our music should be God's music, that it should be in harmony with the purpose and end of the Church itself; that our music, as it comes from the organ loft, should be music strictly ecclesiastical,

and in no wise offend the minds and hearts of pious and faithful Christians.

The Third Plenary Council of Baltimore, therefore, not only re-enacted the Church Music legislation of its predecessor in order "better to direct men's affections to God and to worship Him with greater magnificence," but it also prohibited, besides profane melodies, all mutilations, too frequent repetitions, transpositions of words changing their meaning either in whole or in part, unrubrical interruptions in the course of the Mass, and finally all curtailments of Vesper psalms. At the same time, this Council prescribed the changes of Sacred Music according to the seasons of the Liturgical Year and the nature of its Feasts.

The Plenary Sessions of the Council gave Bishop McQuaid the occasion to make his voice and vote tell in the settlement of many other points of legislation. A fuller organization of the Diocesan Clergy had been judged feasible by Rome. Even Bishops had excused themselves, in the past, from some observances because of primitive conditions obtaining in their Dioceses. Thus, now the Canonical Visitation was urged with the due observance of the prescribed ceremonial. However, in the Council, this did not meet with the approval of the Bishops of Portland and of Buffalo. They were supported in their position by the Archbishop of Philadelphia, who declared that the observance of the prescriptions of Canon Law was almost impossible in this region. He, therefore, recommended the drawing up of a form of visitation that all might easily follow. The Archbishop of Cincinnati also judged it best for the Fathers to declare their mind to have the ceremonies of the visitation strictly observed hereafter. Bishop McQuaid and Archbishop Corrigan pointed out the fact, that such a ritual was to be found in the last edition of the Baltimore Ceremonial, which had taken it from the Roman Council under Benedict XIII. The Bishop of St. Paul moved that a commission of Bishops be appointed by the Apostolic Delegate to draw up and print a ceremonial of visitation, adapted to this country, with the approval of the Holy See. Although the motion was passed, the approved decrees make no reference to any other form than that in the Baltimore Ceremonial, edited in 1883.[33]

In the case of a vacancy in an episcopal See, the method of procedure was also to be clearly indicated by the Council. The Archbishop of St. Louis proposed, 1—that the Bishops of the Province assemble on the very day of the funeral to confer about the selection of a successor; 2—that all the Rectors of churches, also the Religious, who had exercised the ministry for ten years, assemble on the thirtieth day to propose to the Bishops three names as candidates, etc. This found favor with the Archbishop of Cincinnati, but the Archbishop of Philadelphia wished to limit the vote to the rectors of churches who had exercised the ministry for fifteen years. It was thought that only in this way could the number of voters be sufficiently large. For this reason, Bishop McQuaid recommended the giving of a vote in this matter to the Chancellor, the Deans, the Rector of the Cathedral, and the Superiors of Seminaries. This recommendation did not prove acceptable, though a number of prelates also maintained that the Bishop chosen would be all the more certainly favored and accepted in proportion to the number recommending him for the office. The approved decrees, however, limited the proposition of three names for the vacant bishopric to the consultors and irremovable rectors of the Diocese.[34]

Both of these caused considerable discussion in the Council. Diocesan Consultors were to be to the Bishop in the United States what Cathedral Chapters or Colleges of Canons were to the Bishop in Europe, in so far as the special conditions of this country allowed it. The issue before the Council was to determine to what extent the Bishop of the Diocese was to be made dependent on his Diocesan Consultors in certain matters such as the indiction and promulgation of a diocesan synod, the division of a parish, the giving of a parish to Regulars, and the creation of deputies for diocesan seminaries, the election of a new consultor, or of examiners in place of synodal examiners, money or property transactions connected with the diocese or missions, that were a kind of alienation of church property. The Archbishop of Milwaukee proposed that *consilium* be substituted for the word *consensus* wherever the latter occurred in this portion of proposed legislation. The Bishop of Charleston thought the word ought to be retained in order to free the Bishop's mind from anxiety through the consent of the Consultors or, to put it plainly, in

order to lessen his responsibility. Bishop Dwenger of Fort Wayne declared that the Sacred Congregation absolutely wished *consensus*. If it required it for the small sum of $300, how much more so in the much larger amount of $3,000? He denied that the Consultors would ever refuse their consent, if what is proposed is just and reasonable. The Vicar Apostolic of Dakota, however, remarked that a Bishop ought not to be less free than an Abbot in his monastery who asks counsel and not consent. The Vicar Apostolic of Nebraska maintained that the matter was no longer an open question; Rome wished to have introduced into the United States, at least approximately, that provision of the Law which prohibited a Bishop from alienating church property without the consent of the Chapter, and the Consultors were to take the place of the Chapter. Nevertheless, the Archbishops of Oregon and Chicago declared that the Sacred Congregation left the matter to the judgment of the prelates assembled in the Third Plenary Council. The proposal of the Archbishop of Milwaukee was then passed by sixty-five votes cast in its favor. The Bishop of Providence then moved that the opinion of the Consultors must be given in writing, and the Archbishop of St. Louis, seconded by the Bishop of Rochester, thought that the counsel of the Consultors must always be given by them as a body.[35] The approved decrees have *counsel* throughout, and not *consent*, and in the last case, where there is a kind of alienation of Church property, the Bishop must obtain the permission of the Holy See after asking the counsel of the Diocesan Consultors. When the peculiar circumstances of the country did not admit of recourse to the Holy See in individual cases, the Bishop was to use special and extraordinary faculties to be granted in the matter by Propaganda.[36]

There was also manifested considerable opposition in the Council to the creation of irremoveable rectors. When the qualifications demanded for the appointment of such rectors came up for discussion, the Bishop of Peoria first advised the settlement of the question, whether such rectors were to be constituted or not. The Archbishop of San Francisco stated that the time had not yet come for the creation of irremoveable rectors, at least on the Pacific Coast. The Bishop of Portland made a similar statement. The Archbishop of St. Louis thought that many and grave inconveniences would arise

therefrom for Bishops and Dioceses, and the Bishop of Dubuque asserted that more than a tenth of the clergy were already virtually irremoveable. He, therefore, questioned the need of a new law that would create new difficulties. The Bishop of St. Paul remarked that there were often reasons to remove a rector which could not be proved canonically, that rectors were, in fact, irremoveable, and that it would be better to decree that a priest could not be removed without first obtaining the counsel of the Consultors. He was convinced that there would be a perpetual foment of envoy and discord, if one in ten were declared irremoveable. The Bishop of Peoria claimed that the counsel of the Holy See was not to be urged, as they were convoked to decide this matter according to their judgment of it. The law, suggested as a remedy for litigation and discord, would increase these from day to day. However, Bishop Dwenger of Fort Wayne gave warning that the Sacred Congregation wished it, and the Second Plenary Council had also desired it, that litigation and discord were less to be feared in the future, when the reasons for removal are so clearly exposed in the Schema. The Bishop of Savannah agreed with this, and declared in addition that the honor and esteem entertained by priests for Bishops would be much lessened, if the Schema was rejected in this matter, as all knew that the Bishops' Schema had been drawn up on the model of the Roman Schema, approved by the most Eminent members of the Sacred Congregation, who wished irremoveable rectors to be created. He feared, if the priests were disappointed in their expectations, that they would tire out the Holy See with petitions and complaints, and, finally, a law would be imposed against their will. Bishop McQuaid gave testimony that he had advised, when he was in Rome, the creation of irremoveable rectors in place of chapters, and the Archbishop of Boston noted that rectors in some places were trustees or curators of churches in virtue of civil law, and so could remain in possession against the will of the Bishop, an appeal pending, even though removed. Nevertheless, the Bishop of Peoria maintained his opposition, believing that all zeal and devotion to the good of the faithful would die out in the rectors, if they become irremoveable. The Vicar Apostolic of Nebraska then advised that something would have to be yielded to the will of the Holy See, also something to the

almost unanimous wish, not only of factious, but also of pious priests. He maintained that there was no force to the objections thusfar made; that the provisions contained in the Schema were abundantly sufficient to uphold sacred discipline. Besides, if need be, new reasons for removal may be established by Provincial Councils. Final action was not taken at once, but the approved decrees made imperative the creation of irremoveable rectors within three years in the proportion indicated.[37] Thus was introduced into the Church of the United States another institution of the English Catholic Church, which, however, was by no means as welcome to the entire episcopate as the Constitution *Romanos Pontifices* on the Regulars.

Another important matter, the procedure to be followed in disciplinary and criminal cases of clerics, had been the bone of contention for years. Malcontents had made every effort to claim irremoveability even before the creation of irremoveable rectors, but Bishop McQuaid, in the winter of 1878 and 1879, saved the day, as he believed, for the authority of the bishops, by obtaining a reconsideration of the *Instructio* of July 20, 1878. However, in 1884, this Instructio and its official interpretation in the *Responsa ad dubia,* obtained through the intervention of Bishop McQuaid, were partly incorporated and partly superseded in another Instruction of Propaganda, *Cum Magnopere,* which formed the basis of the new conciliar legislation submitted to the deliberations of the assembled prelates. A determined effort was made in the Council to escape the necessity of organizing the episcopal court for the trial of clerics along the lines prescribed. The Archbishop of St. Louis brought forward what had been decreed in this matter by the Council of St. Louis in 1855 and later sent by him to other Metropolitans on the order of Cardinal Barnabo, then Prefect of Propaganda. This decree had also been approved by the Second Plenary Council of Baltimore, which in turn had been sanctioned by Rome. It had never been abrogated explicitly, and the Archbishop of St. Louis urged several reasons commending the decree: 1—it makes no distinction between rectors and other priests; 2—it makes known the accusers: 3—it does not stick so closely to legal forms. He himself had followed this procedure in the past and would continue to do so until it should be explicitly abrogated. The

Vicar Apostolic of Dakota asked whether the Archbishop offered the St. Louis procedure as a substitute for that in the Schema, or whether he wished to leave Bishops free to choose between the two. He replied that he offered no substitute, as that would be irreverent to the Holy See, but he offered an easier method of procedure to the consideration of the prelates, and, if they judged it seemly, they might propose it reverently to the Holy See for approbation. The Bishop of Peoria, who thought the question had been examined by the Archbishops in Rome, asked them for information as to what had been agreed upon by them. The Archbishop of Philadelphia replied that the matter had not been examined by the Archbishops, as they knew that the procedure in ecclesiastical trials had been enjoined by the Holy See itself. He himself preferred the form of trial adopted at St. Louis, and expressed his sorrow that it had been rarely or never employed in the dioceses. Hence arose so many appeals, for which Propaganda, after many vexations, sought the remedy in this new form of trials. This could not, therefore, be changed except through humble petitions to the Pope himself. Bishop McQuaid then said that it was the right and duty of the Council to point out the difficulties under which the new method labored, as the guilty would hardly meet with punishment. The Bishop of Springfield was of the same opinion, stating that two years ago at Rome he had heard men of authority and distinguished position express their wonderment at the acceptance of the *Instructio* of 1878 by the Bishops of the country without hardly any protest. The Bishop of Richmond also gave testimony of hearing at Rome that Propaganda wanted to impose nothing except what the American Bishops were both willing and able to do, but that the Holy See absolutely required to be accurately informed of the whole judicial process. There were demanded testimonies judicially unimpeachable, papers, documents, and other reliable material, and not simply affirmations or opinions. He also preferred the St. Louis form, which he was sure the Holy See would not refuse, if rightly petitioned for it. Accordingly, the Apostolic Delegate, Archbishop Gibbons, appointed the Archbishops of St. Louis, of Boston, and of Petra, the Bishops of Richmond, Rochester, Trenton, and the Vicar Apostolic of Dakota humbly to petition the Holy Father for the retention of the old form of

trials in clerical cases. The Supreme Pontiff was petitioned also to suspend the obligation of using the new procedure in dioceses where it could not be employed without grave inconvenience, and to allow in these the St. Louis form of trial. Nearly all the prelates approved this petition, but Rome insisted on the erection of the prescribed Episcopal Courts within three years after the promulgation of the Council, unless a further dispensation was obtained from Propaganda. Meanwhile, in such places, the *Instructio* of July 20, 1878, and its interpretation in the *Responsa ad dubia* were to be followed in the trial of clerics.[38]

Bishop McQuaid also took exception to the inquisitional methods recommended in the Schema for the extrajudicial procedure in criminal causes of clerics. He proposed that the Secretaries be instructed to cancel the odious words, which intimated an unworthy and insidious inquisition, and to substitute other words, that designated an honest and legitimate investigation. He, therefore, proposed the suppression of a passage of the text of the Schema,but this was opposed by the Bishops of Fort Wayne and Wheeling. Archbishop Corrigan observed that such things were not to be found in the *Instructio* itself. The Archbishop of Boston also thought some of the passage ought to be suppressed, and, therefore, suggested that this part of the minutes of the Council should not be sent to Rome, except the petition of the Council as regards the new form of trial was rejected by the Holy See. All voted the suggestion thus offered, and, for this reason, a loose sheet was printed of this part of the minutes of the Council to be inserted or omitted from the copy presented to Rome, as circumstances dictated.[39]

There was no intention of abandoning a fallen priest, but provision was made by the Council to prepare places of penance for amendment. Several Superiors of Religious Orders, in response to letters sent them by the Apostolic Delegate, Archbishop Gibbons, declared themselves ready to receive such for a time into their houses. Archbishop Corrigan asked him how long a period of time that meant. When he was told three months, Bishop McQuaid and the Archbishop of Philadelphia doubted whether so short a stay in a Religious House would do a fallen priest any good. The Archbishop of San Francisco then proposed that the Apostolic

Delegate and the other Archbishops should come together to take counsel for the erection of a house in charge of Brothers of St. John of God, such as was established near Dublin, Ireland. Nearly all the prelates agreed to this. The Bishop of Peoria, however, wished the whole matter to be expunged, lest a house of this character be known as a Refuge of Sinners, but only sixteen upheld the Bishop of Peoria in this. When the Commission of Bishops later read their report on the matter of fallen priests to the Council, they recommended priests of this character not to be congregated in one house, but to be distributed among monasteries, etc. Thus, there would be less scandal and an easier way to amendment. At present, they were to be sent to the abbies and monasteries of St. Vincent, St. Mainrad, St. Mary in Erie, of the Trappists in Tracadie, Nova Scotia, and in Gethsemani, and at New Mount Melleray. When Bishop McQuaid asked whether these houses were ready to receive and keep those to be amended, the Delegate replied that some of them were already open for such, if they were to be kept only for a short time. Other orders also declared their good offices in this great work of charity, according to the final text of the Third Plenary Council of Baltimore.[40]

The sad necessity of such legislation emphasized all the more the need of giving the best possible training to the candidates for the Holy Priesthood both in the Preparatory and in the Higher Seminary. Bishop McQuaid was appointed, together with Philadelphia and Detroit, to the committee on Seminaries, but he begged to be excused, and Bishop Dwenger of Fort Wayne was put in his place.[41] The course of studies decreed by the Third Plenary Council of Baltimore for the Preparatory Seminary covered the ground well. At the very head came Christian Doctrine throughout each school year as fundamental to the education of an ecclesiastical student, who was to acquire year by year a deeper and fuller knowledge of his Faith, and so be armed more and more against hostile errors. Continuous study of Gregorian Chant and, in fact, of music in general was prescribed in order to train the students to take a fitting part in the public worship of the Church. The practical training necessary for the active ministry in this country, with the church finances centered in the hands of the priest, received

due attention in the course of bookkeeping which the Council ordered to be instituted in all smaller seminaries. Generous provision was also made for the study of languages. The study of Latin, Greek, English and some other useful modern language besides was made obligatory. Here the relative commendation of the study of English and Latin in the Schema was the occasion of considerable debate amongst the Bishops. Bishop Spalding of Peoria, supported by Bishop McQuaid, "maintained that the study of Latin was commended too much; diligence in the acquisition of perfection in one's mother tongue ought rather to be inculcated. He, therefore, wanted [a pertinent passage of the Schema] to be suppressed entirely. Fort Wayne praised the study of the Latin tongue; if priests are lacking in the knowledge of this, they will never try to read books of theology, no matter how well they are versed in the letters of a later age. Savannah agreed with this and remarked that a better education of the clergy is urged in vain by the Schema, if Latin Letters be neglected. Louisville was of the opinion that the study of Latin contributed not a little to proficiency in all kinds of letters. Wilmington said about the same. Rochester maintained what he had already said; all that had been brought forward in praise of Latin was, indeed, true, but the study of this language was urged too strongly in the Schema. Philadelphia defended the Schema. Many, he said, can, indeed, both read and understand Latin, but what is of greater moment, to speak and write Latin, they find very difficult. A remedy is furnished for this by the Schema. Richmond suggested that 'great diligence' be substituted for 'special diligence' in the study of Latin. He also proposed that the study of English be commended 'above all.' Both amendments (Peoria's and Richmond's) were lost, only a few votes being cast in their favor."[42] Consequently, No. 147 of the Decrees of the Council, *De Puerorum Seminariis*, reproduces in this matter the text of the original Schema. There was, furthermore, prescribed in the Preparatory Seminary the teaching of both sacred and profane history, and of geography as the very "light of history." The curriculum put especial emphasis on American History with the avowed purpose of engendering in the soul of the student the patriotism befitting a good citizen. The study of mathematics was to embrace

arithmetic, algebra, geometry, and trigonometry, and the study of the natural sciences included physics, chemistry, natural history, geology, and astronomy. With such an extensive curriculum, it was imperative for the Council to decree that not less than six years shall be spent in following these studies.

The studies prescribed by the Council for the Higher Seminaries were of a corresponding high grade. The course of Philosophy comprised Logic, Metaphysics, Ethics, and a deeper study of the Physical Sciences. This last was prescribed to enable students to detect and confute the errors that were, at the time, disseminated throughout these branches of learning. The course of Theology embraced Speculative and Positive Dogma, Moral, Biblical Exegesis, including a year's Hebrew, Church History, Canon Law, Liturgy, including Plain Chant, Sacred Eloquence, and Ascetic Theology. This curriculum meant not less than six years of study, the first two of which were to be given to Philosophy and the last four to Theology with their respective allied sciences. Not to lose the fruits of the intellectual and spiritual life led by the seminarians during the school year, the Schema contained provisions for the establishment of villas to take care of these students of the higher Seminaries during the vacation. Bishop McQuaid took an active part in the discussion which led to a considerable modification of this part of the Schema. The Private Minutes of the Council reveal diverging views: "Fort Wayne did not approve of villas on account of their great expense. Besides, the student, who goes home, seems sufficiently safeguarded by other provisions of the Schema, the vigilance of the pastor and the testimonial letters required. The Vicar Apostolic of Nebraska confessed that but one thing could be urged against the establishment of villas, that a great deal of money must be expended in erecting and administering the same. How much is to be made of the custody of the students, escapes no one. The reports of pastors are worth hardly more than so much straw. For, they are written not out of love for the truth, but out of favor for the students, lest, if the truth be disclosed, harm come to them and to the pastor. They do not act otherwise in regard to their brethren who have fallen under suspicion. Philadelphia confesses that little trust is to be put in these

reports; but he is of the opinion that a middle way is to be taken. Let the younger theologians be sent home; but let the older ones, who are approaching sacred orders, remain in the Seminary to prepare themselves more diligently for the sacred ministry, after the manner of the scholastics among the Jesuits. Peoria does not approve the Schema. For he urges the bishops to send the students home. Nevertheless, they ought to be free to learn by experience if villas have any usefulness. Rochester said that he would be very sorry, if the establishment of villas were approved. We do not know what kind of priests we are going to have unless we have proved them while students by the test of experience. Priests, whom we see in the Italian manner of life and example, do not evince the usefulness of villas. In other regions, they may be of use; but with us the condition of things is far different. When ordained, they are thrown at once in the midst of dangers. Our own priests, who return from Rome, with due allowance made, furnish no argument for believing that the annual withdrawal to villas is the most certain and only remedy to preserve students immune from the danger of sin, both before and after the reception of orders. Portland advised that the whole number be changed thus: 'Lest ecclesiastical students, where villas are not yet established, in the time of vacation .....etc.' Columbus and Cincinnati joined Portland, whose suggestion was voted by nearly all." The changed reading, No. 177 of the published decrees, received the approval of Rome, which, consequently, did not urge the obligation contained in the original Schema to erect vacation villas for ecclesiastical students in America.[43] This did not lessen the emphasis placed upon the building of provincial seminaries. Following the Council of Trent, Bishop McQuaid had urged more strongly diocesan seminaries in his Pastoral on the Seminary Collection, August 20, 1882:

> It is at this time that some are calling aloud for the establishment of a grand Catholic University, and of a Theological Seminary for extended and higher studies. An essential condition, preparatoy to the founding of such a university, is to know that there are young men willing and ready to take advantage of its facilities for a university course of study. A second condition lies in the getting together of a large sum of money sufficient to place the University on a solid financial basis. A University, in a rich country like

America, cannot go abegging among the poor and rich; Catholics show no inclination to rival non-Catholics by endowing educational institutions. We must wait and pray for a change in both respects before the dream of a Catholic University, except in name, can be realized.

The founding of a Theological School for higher studies is more feasible, and is nearer at hand than that of the University. It may lead the way to the University. But antecedent to the founding of this Theological University will be the establishing of Diocesan Seminaries to answer the ordinary and usual wants of a Diocese, and to serve as feeders to the higher school. This is the primary necessity, and is according to the mind of Church and the instructions of Rome.[44]

It is remarkable how closely the Third Plenary Council, assembled two years later, parallels, in the chapter of its decrees *De Seminario Principali,* the suggestions made in Bishop McQuaid's Pastoral of 1882. The private minutes of the twenty-third private session give some insight into the formulation of the decree.

Tuesday, December 2.

Then there was read the report of the Committee on the *Seminarium Principale.* Now this is what they reported:

1—A Seminary is to be erected like the Dunboyne in Ireland or Louvain in Belgium, from which as from a seed the University is to grow. 2—It is to be erected near a large and populous city. 3.—A very respectable lady has promised that she will give $300,000 for the erection and endowment of the Seminary. 4.—A commission is to be formed of five or seven prelates and some laymen to whom is to be given the care of erecting and administering the Seminary.

Portland suggests that priests also be admitted among the members of this Commission. All approved this. Dubuque added that the number of bishops must be greater than the priests and laymen together. This was also approved by all.

The published volume of the Council also gives an abstract of the minutes of the thirtieth session, which was likewise concerned with this new foundation of theological learning: "In the thirtieth private congregation, there was read a letter of the very respectable lady, Miss Mary Gwendolin Caldwell, who had put $300,000 at the disposition of the Fathers of the Council for founding a Catholic University of studies. However, she requested in the said letter that, if it please the Fathers, the Executive Board of the New *Seminarium Principale,* the beginnings of a University, consist of

the Most Reverend prelates of Baltimore, Philadelphia, Milwaukee, Petra, Peoria, and of the administrator, Reverend John M. Farley, Private Chamberlain to his Holiness; and of the laity, Messrs. Ruben Springer, Eugene Kelly, and William Drexel, Catholic financiers of distinguished reputation and wealth. The Fathers approved all this on the condition, that the Commission to be appointed may also add to itself other priests and laymen, if it so wish."[45]

The subject of parochial school education also claimed considerable attention in the Council. Even before this, November 29, 1883, during the meeting of the American prelates in Rome under the presidency of the Cardinal Prefect of Propaganda, the Archbishop of Baltimore admitted that the provisions in the Schema and the former instructions of the Congregation were the best possible, the zealous observance of which would settle all outstanding difficulties in regard to the schools. Yet some points needed further elucidation even then. Thus, the Archbishop of Oregon wished to know if it were expedient for priests to become members of School boards, as schools in America were largely managed by citizen boards. The Roman Cardinals distinguished between schools that were Catholic or good schools and others that were no good. Of course, no objection was raised to the presence of priests on school boards for the management of the schools of the first class. Anent schools of the second class, the priest's ability to exert an influence for good, for the elimination or lessening of evils had to be considered, and the decision was reserved in particular cases to the bishops. The Archbishop of Oregon then brought to the attention of the Cardinals the opinion held by some bishops that the Council ought to frame a decree, binding priests under a penalty, to erect parochial schools within a short time, to be fixed by the Holy See. The Cardinals opposed the formulation of such a decree on account of the difficulties in which a number of priests would be involved, but they agreed that bishops ought to urge the building of schools and also punish any neglect in this matter on the part of priests. Individual priests might decide as confessors whether there was proximate danger in other schools for an individual or other, but the bishop alone was to decide on the nature and character of the school itself. When the Archbishop of Milwaukee asked whether

bishops could prohibit attendance at public schools, lest parochial schools suffer detriment thereby, the Cardinals declared that bishops could not penalize attendance at public schools for this reason alone.[46]

Obligatory attendance in the parochial school also raised some discussion in the Council itself. The Archbishop of Philadelphia advised caution and prudence in imposing the obligation. There ought always to be a sufficient reason present, for instance, the proximate occasion of sin or lack of suitable instruction in the Catholic religion for the child. Besides, parochial schools must first exist before parents are ordered to send their offspring to them. The Bishop of Little Rock supported the contention of the Archbishop of Philadelphia, mentioning the instance of a Bishop in this country who made the refusal to attend the parochial school a reserved case, although there was not a sufficient number of such schools in his diocese for the children. Bishop McQuaid denied the existence of any obligation if there be no suitable Catholic school. However, if there is such a school, parents, transgressing the law, may rightly be refused the sacraments. He condemned public schools, because they were favorable to mixed marriages which arise from the intimacy of Catholic young men with Protestant girls, originating in schools of this kind. The final decrees of the Council not only urged, but commanded parents to send their children to the parochial school, unless the Ordinary allowed otherwise in a particular case.[47] This meant the building of parochial schools, their support, etc. The Bishop of Little Rock wished to lessen the obligations by substituting the words, *wish* and *urge,* for *establish* and *decree.* However, the suggestion was rejected. Parochial schools had to be erected within two years of the approval of the Council, unless the Bishop judged a further delay allowable because of graver difficulties. A rector, proving negligent in the matter in spite of repeated admonitions from his Bishop, deserved to be removed from his church. Parishes, failing to support their rector in this work, are to be reprimanded and brought to a sense of duty by more efficacious and prudent means. Nevertheless, there was no intention to claim a monopoly of Catholic education for parochial schools. Parents were bound to send their children to the parochial school, only if they failed to provide for their

Catholic training otherwise, at home or in other Catholic schools.[48] There was some discussion about the requirements necessary to make a school rank as a Catholic school. Bishop McQuaid thought the matter might be left to the judgment of the bishop. The Archbishop of Philadelphia said a school is a Catholic school when, besides letters, Christian Doctrine is also taught by persons who profess the Catholic Faith and give proof of it in their life and morals. Bishop McQuaid approved this statement and earnestly desired the establishment of many such schools. Finally, the Bishop of Vincennes moved that a school be called Catholic which the Bishop judged to be such. Fifty-three voted in favor of the motion, and the published decrees of the Council expressly leave to the judgment of the Ordinary what school is a Catholic school.[49]

The rules proposed by the Roman authorities for mixed schools, to which also non-Catholic children were admitted, occasioned some remonstrance even during the meeting of the Archbishops at Rome in November, 1883. The Archbishop of Baltimore declared odious the regulation prohibiting non-Catholic children from being visited by their parents or guardians, except in the presence of the Superiors of the schools. The Cardinals replied that the rule was not to be strictly enforced in the case of parents or guardians, but it was always to be observed in the case of other visitors.[50] Much more exception was taken to the matter in the Council itself. Archbishop Corrigan thought that the whole passage ought to be expunged. He was seconded in this by the Bishop of Peoria, who believed that no evil arose from mixed academies of girls while quite the contrary was to be said of mixed colleges for boys. The Archbishop of Oregon, seconded by the Bishop of St. Paul, favored the retention of the passage, as Colleges and academies cannot be maintained in the West without the help of non-Catholics, and here the remedy is offered for whatever dangers might thence arise. The Vicar Apostolic of Nebraska supported this contention, but advised that pupils be not compelled to assist at prayers and sacred services against their will. Archbishop Elder of Cincinnati believed that mixed schools favored indifferentism. When Catholic children see their fellow-pupils living good and upright lives without the help of prayer or of the sacraments, they learn to believe that there is little power in prayers and

sacraments. The Delegate, Archbishop Gibbons, thought it sufficient, if the instruction were placed in the Appendix, mentioning what concessions he had obtained in the matter from the Cardinals in Rome, so that what seemed more odious was expunged. Archbishop Corrigan gave three reasons for his dissatisfaction with the Schema in this matter: 1—There was the prohibition to receive visits of friends and relations, except in the presence of the Superior. This is contained in the Instruction repeatedly praised in the Council, which will be read by all in the Appendix. This, however, is so alien to custom here that it cannot be observed at all. 2—Religious controversy cannot be entirely avoided. Nor does it seem just to forbid Catholics, when questioned, to explain our doctrine and answer objections. When disputants have recourse to words of insult and so give mutual offense, they sin indeed, because of their conduct, but not because of the discussion itself. 3—It is not easy to see how non-Catholics are to be brought to their churches without injury to discipline. The Bishop of Grand Rapids proposed the suppression of a passage from the Schema which seemed somewhat to favor mixed schools. The Bishop of Portland then offered in its place the words: "Although we do not absolutely prohibit them to receive strangers [to the Faith], however, we earnestly exhort superiors to watch all the more religiously over the morals of the pupils, the more they are mixed with others, so that not only Catholics suffer no harm from non-Catholics, but non-Catholics take no scandal from Catholics." This was pleasing to nearly all. Archbishop Corrigan then proposed the omission of the passage making the rules of the school strictly prohibit any disputation on religion without the knowledge and in the absence of the teachers. Fifty-eight voted against this proposal. On the motion of the Bishop of Vincennes for the suppression of another passage, the Bishop of St. Paul declared the presence of non-Catholics at the Holy Sacrifice to be a scandal to Catholic children, because the former do not kneel. The Bishop of Peoria, on the contrary, declared that it seemed burdensome to the Catholic pupils to be compelled to assist at divine services, while non-Catholics were excused because of heresy. Bishop McQuaid thought the whole number ought to be suppressed. Our conditions were not sufficiently understood by Rome. Non-Catholics are,

indeed, to be admitted to our colleges and academies, but they are to be compelled to observe all rules. However, they ought to be so few in number that Catholics may be able to gain a great influence over them, both through weight of numbers and example. The Bishop of Cleveland agreed with this. Archbishop Corrigan advised that the Instruction of 1866 was not a general law, but a special law given the Council of Westminister. The Archbishop of Oregon observed that the Instruction was known to many priests, who thereby aroused scruples in the Religious. Rome did not understand well enough the character of our non-Catholics who are thought to have fixed principles and to stick by them firmly. This is very far from the truth. In the division, only four voted Bishop McQuaid's proposal, while the measure of the Bishop of Vincennes received the vote of forty-six. Nearly all then approved the amended passage, which did not prohibit higher Catholic schools from receiving non-Catholic boys and girls, whom their parents, though not inclined to Catholicism, yet send there, because of their high regard for priests and sisters. Provision was to be made in these schools to guard the Catholic children from any danger to their faith or from indifferentism, but also to guard the non-Catholic children from any scandal or controversy in religious matters in the absence of the teachers, as these non-Catholics were to be drawn to embrace the true religion, not by contention, but by earnest prayer and virtuous example on the part of their Catholic fellow pupils.[51]

One of the great obstacles to the thorough grounding of young and old in the principles of Faith and morals had been the lack of a good catechism, that might be uniformly adopted throughout the country. A special commission of bishops was, therefore, appointed in the Council and charged with this most important work. December 6, 1884, the Bishop of Buffalo read the report of the Commission on the new catechism. A copy was to be given to the Bishop of Peoria, who was charged to emend and correct it again, and then to transmit it to the Archbishops. When these returned it, the Bishop of Peoria was to see it through the press. However, the Archbishop of Cincinnati judged the Catechism to be inferior in facility and clearness to many in use. He asked whether all bishops were bound to employ the new catechism in their dio-

ceses. Archbishop Gibbons replied that this seemed to be the case from the words of the decree. The Archbishop of Philadelphia and the Bishop of Rochester thought the Catechism good enough. It ought even to be called the best, provided it brought about uniformity. If there were defects, it could be perfected. An agreement was then reached on the suggestion of the Bishop of Brooklyn that all printers should be allowed to print the catechism, provided it be published with the permission of the bishop. The public decrees of the Council then ordered the translation of this catechism, written in English, into various languages according to the needs of the faithful in the United States, but the young, who were conversant with English as well as with another language, were also to learn the Catechism in English for manifest reasons.[52]

The Council also gave thought to the improvement of Catholic journalism. The Bishop of St. Paul asked for a special commission of bishops to consider the matter which he thought not of small moment. The Bishop of Peoria joined in this request, and pointed out that non-Catholic papers, or rather secular papers, were far superior to Catholic papers in character, resources, and authority. Fewer and better papers were desired. Fifty-three voted for the special commission, to which the Delegate appointed the Archbishops of Philadelphia, Petra, the bishops of Rochester, Richmond, and St. Paul, and also the Secretary of the Council. The public decrees of the Council recommended one paper for each province to be supported financially by the bishops of the province, if need be. A Catholic Daily was also recommended for each large city, though it was not necessarily to go by the name of Catholic, provided it judiciously seized the occasion to defend Catholic doctrine against attack and calumny, and carefully kept from its readers stuff unfit to be read. Past experience made the prelates of the Council warn the faithful against newspaper writers, who claim the name of Catholic for their organs, but use their opportunities to discredit the authorities governing the Church.[53] In fact, Bishop McQuaid soon had occasion to protest against the doings of a press agent in reporting to the public some of the inner doings of the Baltimore Council in a way that put the action of some prelates in an odious light. The Baltimore correspondent of the *New York Sun* sent an account of the deliberations within the

Council on Chapter V of Title IX, as a specimen "of the struggles which have brought about the results approved by Rome, and which will in a few days bring a solid improvement to the discipline of the Catholic Church in this country." The text continues as follows:

> This chapter legislates about the means of collecting money, showing what hereafter will be the proper way of collecting church money. It condemns some of the means which are called prohibited. The old *schema*, under the number 312, pays this tribute to the liberality of Catholics: "We have no reason to complain of the faithful intrusted to our care about this matter. For a long time our predecessors acknowledged so well their liberality that they deemed it proper to mention it openly as worthy of great praise. We also willingly and gratefully attest that their pious donations are such that they may abundantly suffice. The more, therefore, they are ready to lavish their own to provide for the welfare of the Church and the good cause, the more we must watch that in collecting money every occasion may be carefully removed for abusing their generous disposition. Besides, as they are so ready and so disposed to give in a lawful and honest way their own money we must abstain altogether from receiving such money when obtained by illegal and unbecoming means."
>
> This paragraph, 312 of the old *schema*, is completely omitted in the new one. The reason why it was omitted is because, in the twenty-fourth meeting, held on Dec. 3rd, Bishop Dwenger of Fort Wayne, Bishop Seidenbusch, O. S. B., and Bishop J. Hennessy of Dubuque objected to it as unnecessary, and as praising too much the generosity of the Catholic people. The omission of the number 312 does not prevent the Fathers, however, from dealing very severely with the custom of collecting money at the doors of the churches on Sundays, as a sort of entrance fee, from all those who go to hear Mass. They say in the first paragraph of Chapter V of Title IX that such a practice, if perchance yet existing, ought to have been suppressed long ago, as a practice reproved by Pius IX, who ordered that it should be abolished. Our predecessors, says the decree, obeying his supreme decision, have resolved to put an end altogether to this wicked custom. The reasons for abolishing this "wicked custom" have been suppressed in the new *schema*, but in the old *schema* they were stated as follows: "It would be shameful and unheard of that permission to obey the laws should be bought with money. If this is true of profane laws, it is far more shameful and almost sacrilegious that clergymen should exact money from the faithful in order that license may be granted them to obey the laws made by divine authority of the Church. What is still more to be regretted is that non-Catholics are by such practices deprived of the opportunity of hearing the Word of God held forth to them by the only teacher of truth through its ministers, moved

by which word, perhaps, they would have their prejudices removed, and by the help of the grace of God would be converted and would live. Experience bears testimony that many of our citizens, who leave heresy and come back to unity, have received the first movement of grace calling and inviting them to the fold of the Mother Church through the words of a priest, preaching as usual on the feast days. But if they cannot hear the Word of God, such as it is held forth by the Church, unless they pay admission, they run away indignant—they hate the true Church; they recollect and retail again among their fellows all that their impious forefathers and their sisters have told about the avarice and cupidity of the priests. Therefore, we reprove and strongly condemn this wicked custom, by which sensible Catholics are made greatly ashamed and scandalized, and non-Catholics are offended and prevented from hearing the truth. And adhering to the mind of the Roman Pontiff and of our predecessors, we order that no priest or bishop shall practice, in the future, this wicked custom; and, if yet remaining somewhere, either to return."

Bishop McCloskey of Louisville and Bishop Ireland of St. Paul wanted the whole paragraph inserted. Bishop Kain strongly opposed it. Bishop Spalding of Peoria answered that such a practice really existed, but the money was collected for the seat, not for admission. Bishop Ireland insisted that, as the custom of paying for a seat was not condemned in the paragraph, it should be all printed in the new *schema*, and so thought Archbishop Ryan of Philadelphia, who added that the custom of collecting money for admission existed in some places. Bishop McQuaid of Rochester said that the paragraph openly hinted at the churches of New York, and, therefore, the matter ought to be left to the Metropolitan of New York. Bishop Ireland insisted that this decision had already been taken in the meeting of the bishops of the province of Milwaukee. Bishop McCloskey said that he had heard several times that this custom was in existence in many places. Archbishop Corrigan said that, after diligent inquiry, he found this practice did not exist in the churches of New York, and he finally moved, in the same private meeting of December 3rd, that all the paragraph ought to be stricken out from the word *perversam* to the end. From the words *et merito* down to *commenti sunt*, it had already been disposed of by the advice of Deputation XI, composed of Archbishop Heiss and Bishops Seidenbusch, Krautbauer, Northrop, and Wadhams, with twelve theologians. The Council disposed of all such abuses, directed the pastors to have, in every church, a free space, and admonished the pastors to abstain from humiliating the people in public, if they do not exactly keep within the regular limits of that space. It is well to know that this regulation for free space would have been omitted, had not Rome insisted that it should be inserted. This was acknowledged in the meeting of December 3rd by Archbishop Corrigan. The Council also ordered

that no clergyman shall ever prosecute a layman for money due to the Church, even for pew rent, unless he has asked leave from the Bishop.

Another thing done by the Council is the prohibition of picnics and excursions by night or on Sundays, or other feast days or fasting days. This way of making money for church purposes will be hereafter forbidden and only allowed by the Bishops with necessary prudence and reserve. The sale of intoxicating liquors will not be allowed in any case. Fairs also are not to be held hereafter without a special permit of the Bishop, and not on Sundays, and no intoxicating liquors can be sold at them. Suppers and dinners, or social parties, given at night for raising money, are prohibited. All this is settled in numbers 294 and 295 of the same chapter. The following number, 296, directs the Bishop to punish any priest who dares to deny absolution to those who do not give money for the collection. In 297, it is strictly ordered that Bishops shall stop the abuse of priests going, during Mass or other ceremonies, around among the congregation to collect money, disturbing the holy rites and interrupting the people's devotions. No. 298 directs the Bishop not to sanction any fee for ecclesiastical services, unless approved in the Synod of the diocese and then made known to Rome in order to be approved. No. 299 stops the immense amount of clerical begging, both national and foreign, and strives to remedy it. No. 300 forbids the enticing of people to give money under the special promise of celebration of Masses for the donors, a thing, says the Council, "having somehow the appearance of simony."

The numbers of the decrees given by the Correspondent of the *New York Sun* are not the same as those of the public decrees of the Council. The information was fairly accurate with the exception of a poorly translated passage or two. The London Tablet, December 22, 1885, reprinted the whole account, and it was there that Bishop McQuaid first read it, as he wrote Archbishop Corrigan, January 26, 1886: "What about the Decrees, etc.? Have the documents in answer to our petitions not yet come?....Who showed the *Acta* etc., of the Council to Rev. Dr. O'Reilly for him to communicate to the *N. Y. Sun?* The London Tablet copied the Sun's correspondence, and made public in Europe what was not yet made known to us. Besides, the *Acta* are not for publication. There are many leaky vessels nowadays."[54] Two days later Bishop McQuaid took the matter up with Archbishop Gibbons:

A few weeks ago I read in the *London Tablet* a communication taken from the *New York Sun*, in which there was an open revelation to the general public of the private *Acta* of the Plenary Coun-

cil. Thus there was a communication to the outside world of what was withheld from us bishops. Evidently some one within the inner circle had proved leaky and untrustworthy.

I felt aggrieved, because of the use made of my name. Substantially the report is correct, only for a full understanding of the meaning of my words, further explanations would be necessary. Shall I enlighten the public at large?

Feeling aggrieved, I tried to find out who this Dublin correspondent might be, that had possession of the secret *Acta* of the Council and was using their secrets for his own purpose. Judge of my surprise when I learned that his correspondent was not Rev. Dr. O'Reilly, now in Ireland, but a Catholic layman now in Baltimore, whose letters written in Baltimore were headed, Dublin, Ireland.

Is your Grace aware of the fact here stated? Is the name of the Irish correspondent residing in Baltimore known to you? If not, then it is good for you to know that some one is betraying you and your secrets. The printer of the *Acta*, or the Editor of the Baltimore *Mirror* may be able to give you definite information.

I have to reproach myself with having falsely charged the Rev. Dr. O'Reilly with this grievous wrong-doing.

It seemed no more than right to let your Grace know that there was unfaithfulness somewhere near you.

We are waiting patiently for the *Decreta*. We shall have to wait yet more patiently to put the new order of ecclesiastical machinery in effective and smooth running condition.[55]

The first of the next month Bishop McQuaid asked Archbishop Corrigan: "Shall I follow up the affair, or let it rest here? Shall I charge McElhone with the authorship, assuming that he may have got a copy from a printer, without, however, saying what is the source of my authority?" Bishop McQuaid then declared: "I will not write to his Grace until I hear from you."[56] In the end, he doubtlessly thought it advisable to drop the matter. Although the Correspondent of the *Sun* touched upon most of the points made in this chapter, he does not mention one point that occasioned a good deal of discussion in this same session of December 3rd. Dancing, connected with banquets for the promotion of pious works, was the point at issue. The Bishop of Wheeling wished to have round dances expressly included in the law forbidding such arrangements, but the Bishops of Peoria, Vincennes, and Buffalo thought that all dancing should be interdicted on such occasions. The Bishop of St. Paul declared that Catholics would conclude from an express prohibition of round dances that all others were allowed. He wished all dancing to be prohibited

in those festal gatherings, which otherwise expose us to ridicule and contempt of non-Catholics. Bishop McQuaid was of the opinion that there was a danger latent in passing too many and too rigorous laws. Dancing could be safely indulged in out in the country, he thought, if there were due safeguards. Otherwise the young folk would attend the dances of non-Catholics. The Vicar Apostolic of Dakota agreed with this. He was of the opinion that dancing ought to be permitted in the country, but prohibited in the cities. The law of the former Plenary Council did not heal the evil, but increased it by too great strictness. The Archbishop of Cincinnati also thought this, and the Bishop of Erie proposed to leave the matter to the decision of the synods. The public decrees, however, ordered priests to see to the total abolition of all banquets with balls for the promotion of pious works.[57]

If the Council took care to repress abuses, it also positively promoted various activities to promote zeal for souls in the provisions of Title VIII. The first chapter, which was originally entitled *Of Italian Immigrants,* precipitated an earnest discussion that led to the significant change of the heading to the more general title: *Of Colonists and Immigrants.* When the Bishop of Fort Wayne, December 1, 1884, moved the adoption of the original chapter of the Schema, Archbishop Corrigan vehemently opposed it, and recommended the rejection of the whole chapter. It is useless, he contended; there are many things in it which are far from true. In the first place, Italian immigrants, for the most part, are not their own masters. They are the slaves of an avaricious and harsh man, who hires them and whom they acknowledge as their master. Cardinal McCloskey of New York refused to be counted amongst the Commissaries for Italian immigrants. The Bishop of Brooklyn has done likewise, and the Bishop of Newark will apparently do the same. Bishop McQuaid also thought that the whole chapter should be expunged, as he saw no reason why they should be so solicitous of the Italians alone, and care must be taken of all immigrants. The Bishop of Peoria thought that the condition of the Italian was not so hopeless, and, therefore, recommended the retention of the chapter. He advised that they be settled in colonies, where they might buy farms and cultivate them. The Bishop of Vincennes wanted the chapter changed or

rewritten, and asserted that many of the Italians keep the Faith. The Bishop of Burlington thought they would be better, if they had priests of their own. Italian priests might be requested of the Sacred Congregation to watch over the spiritual welfare of their own people. No doubt, Dom Bosco would undertake this work. Archbishop Corrigan replied that he had spoken to this celebrated priest in Italy, but Dom Bosco confessed that he could not send religious for two years. On the request of the Sacred Congregation, an accurate census had been taken of the Italians in New York and neighboring places, due note being made of their condition. The report of this investigation had been sent to Propaganda, but no response was received. In fact, the arrival of the report in Rome was not even acknowledged. The census showed about 50,000 Italians in New York City and vicinity. They could easily hear Mass, if they wished to do so, but not more than 1200 of this vast multitude ever assist at the Holy Sacrifice. Two or three hundred received confirmation from an heretical pseudo-bishop. Ten of the twelve priests in charge of the spiritual care of the Italians were driven out of Italy because of crimes *contra sextum*. Southern Italians, from the Neapolitan Kingdom, are so ignorant in matters of Faith that they seem never to have learned the elements of Christian Doctrine. Immigrants from Northern Italy, Milan, Genoa, etc., are generally better, but fewer. The boys have learned the Faith in church or school, and are not so easily bought over by heretics. The Bishops and priests of New York City and vicinity have made every effort to make provision for the Italians so that they can have sermons in their own tongue and assist at Mass, but everything has been in vain. The Bishop of Erie gave the same testimony about the Italians, who in his diocese hire out their labor to the railroad companies. He took every measure to make it easy for them to hear Mass, but they would not. The Bishop of Vincennes, seconded by the Bishop of Buffalo, moved that the whole chapter be suppressed and rewritten by a special committee of bishops appointed by Archbishop Gibbons as Delegate Apostolic. Nearly all voted the motion, and the Delegate appointed Archbishops Corrigan and Riordan, the bishops of Rochester, Peoria, New Orleans. Three days later the prelates appointed to this committee firmly declared that they could only speak

despairingly of Italian colonists. Their only hope was to help them through societies established in Italy itself, to whom was pledged earnest support in this country. They, therefore, recommended writing to the Holy Father a clear statement of the whole situation and thought that the whole chapter ought to be suppressed. The Archbishop of San Francisco was of the opinion that it was more becoming to write to the Cardinal Prefect. Archbishop Corrigan explained that the Holy Father was to be addressed, because the Cardinal Prefect of Propaganda had no authority over the Bishops of Italy. The Bishops of Wilmington and Erie declared that it was not disrespectful to disclose the truth to the Supreme Pontiff for most weighty reasons. Finally, the chapter was entirely rewritten without a mention of the Italian immigrants by name, and with special commendation of the work done for the Immigrants from Ireland and Germany by Irish and German societies founded for that purpose. The spiritual care of incoming immigrants, in the great seaboard cities, by priests speaking the language of the immigrants, was duly recommended. Special emphasis was placed on protecting young women and girls from the danger of corruption, which might best be done through the erection of Houses of Refuge in charge of Sisters, until they are able to obtain suitable work. Efforts were also directed to turn the immigration from the cities to the country, and rich Catholics were exhorted to lend their co-operation in order to make it possible for these colonists to acquire possession of land on easy terms. Thus, they would render signal services to their religion and to their country.[58]

The pastoral care of Negroes and Indians also came under the title on *Zeal for Souls*, making up Chapter II. The expenses of the work were to be provided for by a collection. Bishop McQuaid thought that a part of this collection could be retained, without fraud, for the use of the parish, provided the faithful knew and approved of this partition. Nevertheless, he judged it better to have two collections taken up at each Mass. Then, December 1, there was a long discussion whether a certain fixed day should be appointed for this collection for all dioceses, or whether the time should be left to the prudence of each bishop. Finally, it was decreed to have the collection throughout all the country on the First Sunday

of Lent. December 5, Archbishop Elder and Bishop McQuaid thought a commission of prelates, having Indians and Negroes in their diocese, ought to be appointed to expedite matters. Let them come to an agreement, under the presidency of the Archbishop of San Francisco, and frame a law to be approved by the Council. All the prelates agreed to this, except three. The very next day the commission reported through the Archbishop of San Francisco: 1—Where the Lyons Society is established, the money collected in the usual way from the members is to be sent to the moderators at Lyons; the annual collections are to be distributed by a Commission of prelates amongst the Indians and Negroes. 2—Where, however, there is no society established, half of the collection is to be sent to Lyons, and half to be kept for the Indian and Negro missions. The report was approved by the Fathers. All this enters into No. 243 of the published decrees of the Council, which also made provision for a standing Committee of three prelates under the presidency of the Archbishop of Baltimore, and for annual reports of the money received and expended in these missions.[59]

Under this same title of *Zeal for Souls*, a good deal of space was finally allotted to societies, both good and bad, to meet actual conditions among the laity. The danger of secret societies was duly appreciated, but the difficulty was to determine what societies were of this character. This was precisely the reason why there was so much discussion on the standing of the *Ancient Order of Hibernians*. Bishop McQuaid proposed a settlement of the question by the appointment of three bishops with instructions to inquire into the nature and character of this society and to report the results of the investigation to the Council. Forty-eight Fathers voted for the proposal, and the Archbishops of Chicago, Philadelphia, and San Francisco were appointed to do this work, in which by consent of all Archbishop Gibbons was also associated. The Bishop of Peoria insisted on what he and the Archbishop of San Francisco had already said on the necessity of establishing a permanent commission of all the Archbishops to inquire and decide about the character of all societies, anent which any doubt should arise. All approved of this, and No. 255 of the published decrees prohibits the nominal condemnation of any society before the Ordinary has referred the

matter to the Archbishops and received their approval of the condemnation. If there was any diversity of view about the case thus submitted, the Holy See was to be requested for an authoritative decision, and so uniformity of discipline maintained throughout the country. Otherwise, confusion in discipline would arise to the scandal of the faithful and the detriment of ecclesiastical authority, a society being condemned in one diocese and tolerated in another.[60] While there could be no nominal condemnation of any society without the concurrence of the Archbishops as a Committee, the general Pastoral Letter issued at the Council December 7, 1884, nevertheless, gave a rule applicable to societies not nominally condemned: "If any society's obligations be such as to bind its members to secrecy, even when rightly questioned by competent authority, then such a society puts itself outside the limits of approval; and no one can be a member of it and at the same time be admitted to the sacraments of the Catholic Church. The same is true of any organization that binds its members to a promise of blind obedience—to accept in advance and to obey whatsoever orders, lawful or unlawful, that may emanate from its chief authorities; because such a promise is contrary both to reason and to conscience. And if a society works or plots, either openly or in secret, against the Church, or against lawful authorities, then to be a member of it, is to be excluded from the membership of the Catholic Church."[61] The historan, John Gilmary Shea, judged these words so opportune that he advocated placing them at the head of the editorial page of every Catholic newspaper, and in every prayer book and catechism used by the faithful.[62] The opportuneness may be judged from the fact that Clan-na-Gael influence pledged the "Irish American vote" to the Republican presidential candidate, Blaine, for whom Alexander Sullivan of Chicago, elected President of the Irish National League of America, formerly the Land League, by the same influence, took the stump in the political campaign.[63] Blaine's mother was a Catholic, but he belonged to the Presbyterian Church. A minister of that denomination, Dr. Burchard, a few days before the election, at a Republican "ministers' meeting" in New York denounced the Democrats as the party of "Rum, Romanism, and Rebellion" in the presence of Blaine, who failed to repudiate the words on the spot. They cost him the

presidency.[64] When Bishop McQuaid at the end of the year addressed the Cathedral Congregation, he spoke on the work of the Council at Baltimore and also on the recent political campaign as follows:

> If you will permit your memory to carry you back a few years, you will remember the criticisms, the unkindness that marked the tone of comments on my action in advocating Christian schools for Christian children. "Who is he that comes from a distant state to disturb the order that exists?" "How much better is he than those who went before him?" These were among the questions that were asked. I was to pay heed to the order that existed. I knew only that rule which I followed from the day of my ordination. I contended and labored for Christian schools for Christian children, and I feel the greatest satisfaction today in knowing that my action has been approved by that of the council. Fifty years ago there were no Catholic schools for the people's children. Here and there was found an academy, college or convent, in which the wealthy might place their children for a Catholic education, but there were no schools for the people. Today we have Christian schools for Christian children, in which are to be found 500,000 pupils. By giving our children a Christian education, we are laying the foundation for the true Christian family.
>
> The council gave considerable attention to the Christian family, in which the father and mother are one; in which the sanctity of womanhood is upheld, the purity of wife never for a moment doubted; and in which the children feel that, until death shall part them, their father and mother will remain loyal to each other and to them. This is one fruit of a Christian education.
>
> Look at the condition of society today; the terrible evils that are tolerated, the gross immorality that is destroying the foundation of the social system. Woman owes the position she occupies today to the Catholic Church. It was the Catholic Church that raised her from the degradation, to which she had been consigned, and placed her in the exalted position she now occupies. In the Catholic Church, she raises her eyes to the blessed Mary, who is second only to Him whom we adore. If we would maintain this Christian family, if we would guard against dangers that are threatening us on every side, parents should guard their children from intellectual and moral poison. The Council warns you against the immoral, vulgar, sensational novel, the indecently illustrated newspaper, and publications tending to weaken the faith in the religion of Jesus Christ, and which should be rigidly excluded from every Catholic home.
>
> There is another point connected with ecclesiastical discipline, to which I wish to call your attention. It is the church music. In former years, our church music, often of high character, resembled operatic methods and airs. Now you will notice, when the *Credo*

is intoned, that the choir begins where the priest stops, and you can follow it and make an intelligible profession of faith. Formerly this was impossible. Such a jumbling and jumping backward and forward, as was practiced in these operatic renditions, would not be tolerated by an intelligent audience, if rendered in English. It is supposed that the Almighty understands Latin as well as we do English, and such a profession of faith as that given in these operatic exploits is nothing short of an insult The musical vespers, as they were termed, were snatches from the psalms. The whole psalm, to which the Lord was entitled, was not given. If you want operatic music, you can have it in the proper place. Have it at home, in the concert hall, or in the opera house; but operatic music will not be tolerated in the Church of God. I was greatly pleased to find in the instruction issued recently to the ecclesiastical authorities, to the Bishops of Italy, ordering strict compliance with established rules regarding the style of church music, a recommendation to have the choir near the sanctuary, not over the main entrance to the church. It also directed that the choir play a secondary part in the services. Many entertain the idea that the music is as important, or even more so, than any other part of the service, that it is of equal consequence, at least, with the celebration of the Mass.

This is an erroneous impression. It will not be practicable at present to have the choir in the sanctuary, but I mention this fact to show that there should be a change in the feeling of many who are gifted with abundant talent, but do not use it to sing in the honor and glory of God. After the first of January, only the organist and the leader of the choirs throughout the diocese shall receive a salary, and none but Catholics who comply with their Easter duty, shall sing in these choirs. Moreover, a congregation should be satisfied with the character of the music, which their own members may be able to furnish. How revolting it is for the congregation to hear the voice of one who does not believe in that which he or she is singing. It is mockery instead of worship, and is out of place in church.

In looking over the past year, I find another subject of great interest to all of us, to which I will briefly refer—though it was not mentioned in the council. We have just passed through an exciting presidential contest. The result pleases me. You may be surprised at this expression. Well, if you listen a little longer, your surprise will be greater. Since I came among you, I have never held any personal preference as to which party was in office. This last contest has demonstrated one fact. In former years, there was much talk of a Catholic vote. It became the settled conviction of some that this vote would be cast for the candidates of one party. To break these party ties was considered an offence second only to breaking the ties of faith. The recent election has shown that there is no Catholic vote. It has proven that Catholics consider principles, measures, and men more than party. Every man in this

great Republic, having a vote, has a duty to perform, and he will be held responsible to God and country for its performance. In France, England, and other countries in the world, citizens have no responsibility for the character of their rulers. They have no voice in their selection. The Georges, and Williams of England, and Louises of France were not chosen by the people. Here every man has a word to say in the choice of rulers. He is, in a measure, responsible for the character of the government's administrators. The Catholic Church does not belong to any party, nor has any one a right to speak for her in affairs purely political. Catholics have demonstrated this truth. A second truth has also been brought out. It is that Catholic citizens are acquiring excellent memories. They are learning to take note of the brave words of bigots, spoken in the flush of success, not dreaming at the moment of a change in public sentiment. Patiently and for years putting up with gross insults to themselves and their interests, Catholics abide the day of reckoning.

Let it then be understood well that there is no Catholic vote, that Catholics are not tied to any party, and do not propose to be dragged at the chariot wheel of party machinery, that, as men of intellect and conscience, they are to exercise their best knowledge and judgment in deciding how to exercise the great and responsible duty imposed on them by American citizenship.[65]

Blaine's campaign thus came to an inglorious end, but the campaign for the reform of Church Music continued vigorously despite all obstacles. Bishop McQuaid's services were requested in this noble work by the American St. Caecilia Society, to which, in St. Francis' Church, Chicago, July 1, 1885, he addressed, "with the liberty befitting the apostolic office of a Bishop, words of encouragement, words of counsel, and words of caution." These were naturally based upon the decrees passed the previous year by the Third Plenary Council of Baltimore, which, he now declared, also incorporated "the general rules for sacred figured music, vocal as well as instrumental, permitted or prohibited in Church," that the Secretary of the Sacred Congregation of Rites communicated to the Bishops of Italy, September 24, 1884, to take effect within a month after promulgation in their respective dioceses. Although the Council does not explicitly cite these rules as an authority for its legislation, its decrees are in perfect agreement with them inasmuch as they give in detail what is only outlined by the Council, adding practical measures for the execution of the desired Church Music reform. Amongst these a foremost place was assigned by the Roman document

to the St. Caecilia Society of Italy.[66] Bishop McQuaid, therefore, did well to emphasize its teachings, in his own characteristic way, in his sermon to the American branch of this society. He again showed eloquently that prayer, especially the Holy Sacrifice of the Altar, the highest form of prayer, must dominate the whole church, also the choir, so as to eliminate the distracting abuse of operatic music, that also usurped the license to lengthen or curtail divine service at will. Music of this kind had put strange people into the organ loft of Catholic churches: "Jews as well as Infidels and excommunicated Catholics, scoffing heretics and Free Masons." Sometimes this became especially offensive: "Large sums of money are spent to hire singers of the kind spoken of; we just throw away our money on them, and still we have no money for a school wherein to teach our children their religion and to train them in the habits and manners of Christian life. Just think of it! We throw away money on Jews, Infidels, and Free Masons, to give us music from blaspheming minds and hearts, and we leave our children to starve spiritually! Is it not horrible?.....No congregation is too poor to have a Christian school of its own when it can afford to throw away money on such singers." Bishop McQuaid might have pointed out, as he did elsewhere, that both the Second and the Third Plenary Councils of Baltimore looked to the parochial school as one of the great means to the reform of Church Music, where the rising generation might be properly trained to take part in singing it. He concluded his address by telling what the Church really wants in this matter:

> I need only remind you that Gregorian Chant is the chant of the Church; not that Gregorian which is sung note by note, as you walk up or down a stairs, step by step, but as it has been sung in the old monastic schools with such great perfection.
>
> Those who despise plain chant, cannot sing it. They despise what they do not know. If we cannot have all the beautiful Gregorian, let us have a little of it, and that as nearly perfect as possible.
>
> Then we have Caecilian music. It has a standing in God's house, a music that is based on plain chant. I must candidly confess I was prejudiced against your Society, because I had heard your music rendered by incompetent singers, and therefore I thought your music dry and harsh and rough. But I am prejudiced no more. Caecilian music is soft and gentle and sweet; it leads to God, and

is as near to what is meant by God's music in God's house as anything after Gregorian.[67]

Two years later Bishop McQuaid particularly rejoiced to see the St. Caecilia Society again assembled in Convention at Rochester. After the Pontifical Mass in the Cathedral, which he celebrated July 12, 1887, the anniversary of his own episcopal consecration, he expressed his pleasure to the people at their coming "to do honor not only to one who has served you so long, but to the American Caecilian Society, 200 delegates of which are assembled here." He then traced a striking parallel between the cause of Church Music reform and the fight for the Catholic School:

> We are entered upon a contest, a battle. The question at one time was, who shall rule in the school house in which our children are placed? We have decided that point. We have won the battle. It is no longer among us Catholics a controversy at all. Where our children are, God shall be; and so our schools.....are destined to be henceforth—I might say for centuries to come, while the world lasts—schools in which God shall reign, where God's name shall be heard with reverence and love, and God's love be inculcated in its simplicity, in its earnestness, and in all the power of its meaning.
>
> And now another contest is before us. The question is, who shall rule in the church of God? The opposing powers are here at the altar and above in the gallery. Shall this altar and all that it represents have power and might to decide to whom this church shall belong, or shall opposing voices from yonder elevated place dominate over the altar and the sanctuary and priests, and give the law by which the church shall be ruled? In other words, the contest is now to be, Shall that for which this altar is here, in its life and in its soul, pervade and dominate and rule this church? As that altar is for sacrifice and for prayer, shall the ruling spirit, the life and soul of all in this sacred place, guide and rule according to the mind of Church, or shall another power rule and dictate in the House of God? That is the question.

The mind of the Church had been proclaimed in the United States by the Third Plenary Council of Baltimore, which meanwhile had received the approval of the Holy See. Its legislation on Sacred Music was, therefore, law for every church in the country—"from the Cathedral of the Archbishop to the Cathedral of the Bishop, and from the Cathedral to the parish church, and from the parish church to the convent chapel, wheresoever the praises of God are heard in the form of harmony." He openly confessed for this reason: "It

completely dumbfounded me when I read in the newspaper of last December and of last April, on the occasion of the feasts of Christmas and Easter, what wonderful Masses were to be performed in the cities of Washington and Baltimore. It was in Baltimore that we made the law, and a member of the Council resides there, and yet, in utter defiance of their own Ordinary, the autocrats of the organ loft decided that the Baltimore Council, so far as the chapter of Church Music was concerned, might be thrown out of the window." Against the possibility of such a sinful abuse in defiance of the law within his own diocese, Bishop McQuaid thought that he had discovered an effective measure, which he then made known publicly:

> We cross the Atlantic to learn a sure remedy. Over in Ireland, in the city of Dublin, they suffered from the same kind of ecclesiastical music from which we have suffered here. There they had Mozart's Masses, and Hayden's, and the whole of them. I suppose that sometimes they were admirably executed, but I am quite sure that most of the time the execution was horrible. The Archbishop of Dublin made known his wishes, but the priests were too weak for the choirs, the choirs ruled and domineered, and the priests had to submit; and this false music went on till at last the late Archbishop of Dublin and his successor, the present one,—himself a master of Church Music, having even written upon the subject, and devoted to the cause of music strictly ecclesiastical,—made a law in his Diocese, to put a check upon the vagaries of organists and singers,.....that no music should be sung in any church in his Diocese that was not found in a printed catalogue which he placed in the hands of his priests.
>
> We have to do precisely the same thing here.....I am no professor of music, no master of the art, but I can fall back upon those who are, and standing by their side and doing as they do, I know I am right. I shall send to Ireland for this catalogue and make a law that shall hold good in this Diocese, so that by the 1st of next December no church in my Diocese will dare to attempt any other music than that one found in this catalogue. This catalogue gives ample scope to varieties of taste; it is liberal and does not run to any extreme, but.....in no other way can we bring about a reformation full and complete.[68]

Such an expedient had also been adopted in the rules for Church Music by the Sacred Congregation of Rites at Rome, which, however, only recommended and did not impose exclusively the catalogues published by the St. Caecilia Society in Milan. Bishop McQuaid was unable to arrange the matter for

the date given above, but March 25, 1888, he issued the following statement when introducing the Dublin Catalogue into his Diocese:

> The principles, which guided the Dublin Commission in drawing up this list, are the same as those found in the Chapter on Sacred Music in the Third Plenary Council of the United States and are based on the letter of the Sacred Congregation of Rites, addressed to the Bishops of Italy for their guidance in the suppression of abuses in the rendering of Church Music. This rule laid down by the Third Plenary Council of Baltimore is obligatory on all ecclesiastics, secular or regular, in the United States, and cannot be set aside with impunity by custom, organist, rector or prelate. The boldness of organists and the weakness of rectors have led many to suppose that the Decrees on Sacred Music promulgated by this Council have been abrogated. Abuses do not create law and are to be eradicated. The Decrees of the Third Plenary Council tend to uniformity in the Liturgy of the Church in the United States and place a wise check on the introduction into this country of various and multitudinous peculiarities of European countries. It is better to follow the teachings of Rome than the special ways of Ireland, Germany, France or Poland.
>
> Within three months after the receipt of this list of music, no other music than what is contained in this list will be allowed in any church or chapel in this Diocese, unless the said other music has been adopted by the Rochester Diocesan Commission of Music. This Commission is composed of the Very Rev. Mgr. Regge, Rev. Dr. Sinclair, and Rev. D. Laurenzis.[69]

Bishop McQuaid thus hoped to bring the choirs of all the churches in his Diocese up to standard. At the Cathedral this had already been accomplished to the extent that he felt himself justified to write Archbishop Corrigan, July 14, 1887: "We have just got through with the Caecilian Convention. The Cathedral choir, for precision, delicacy, correctness, and fine artistic taste, carried off the honors. The Germans beat them in loudness and thunder. Father Lammel can tell you all about it."[70] Whatever difference of opinion there may have been about the relative excellence of the competing choirs, there was no doubt about the zeal displayed by Bishop McQuaid in the work of Church Music reform. This moved Professor J. Singenberger, re-elected, July 13, 1887, President of the American St. Caecilia Society at its convention in Rochester, most respectfully to dedicate to his Lordship the *Short Instructions in the Art of Singing Plain Chant,* which he had designed for the use of Catholic choirs and Schools.

Chapter XXVI

APPROVAL OF COUNCIL

On the conclusion of the Third Plenary Council of Baltimore, it was necessary first to obtain the approbation of Rome before the decrees could be promulgated as the law of the American Catholic Church. There was considerable misgiving about the action Rome would take in regard to some of the modifications of the Schema submitted to the Council for legislation. Bishop McQuaid entertained great fears of adverse action, when he learned from Archbishop Corrigan "that Bp. Moore and Dr. O'Connell were to be 'bearers of despatches' to Rome." He, therefore, wrote Bishop Gilmour, December 27, 1884:

> I assumed that this meant that they were to bear the despatches and no more. Our proceedings will be placed before the Roman authorities to be pruned, added to, or wiped out, as may seem best to them without regard to our statements with reference to our needs and condition.
>
> I felt quite certain that, after my action in the Ancient Order case, I would be considered a dangerous man to send to Rome by their Graces of St. Louis, Philadelphia, and Chicago. I think that they and others are a little afraid of me. Perhaps, it is just as well for me not to go. But, if Archbishop Corrigan and yourself could go, some good would certainly come out of your representations. If we cannot have a strong representation in members of our body, it would be better to have no one there. It will not answer for any one to go unless officially. He would be snubbed and sent home. But, we can write. I propose to write at length to Cardinal Simeoni soon after the departure of our envoys.[1]

A fortnight later Bishop McQuaid expressed his satisfaction at a rumor current in New York, that Bishop Gilmour was to go to Rome with the *Acta*. He immediately wrote Bishop Gilmour: "I pray that this may be well founded. You are the best adapted for the task of any that I know of. You are clear of mind, you can work out your thoughts to a definite expression, you can suggest a way out of a muddle to bewildered minds, and better than all you have determination and

perseverance. You will not throw up the sponge, excuse the term, simply because the other side has begun to crow." Bishop McQuaid again expressed his determination "to write fully to Cardinal Simeoni and Howard soon after the departure of the envoys, not bearers of despatches, if you are among them."[2] Although Bishop Gilmour would have much preferred if he could have been spared going to Rome, yet he was ready to make every sacrifice, as he wrote Archbishop Gibbons, February 13, 1885:

> I deem the approbation of the decrees so important that I would do almost anything to have them approved as they came from our hands. The whole body of laws is so well balanced that I think it would be a sad disaster to have them touched or changed. We well know the difficulty we had to mould so as to balance & suit all, and, if they change in Rome, they will do it without the knowledge we have here. If you later on think I should go, I will go at all inconvenience. So please let me know, & I will arrange accordingly.
>
> May you long live to see the fruits of your wise and able work of last year, & may the church in America be blessed in our mutual work of Nov. & Dec.[3]

Bishop Gilmour seems to have received no word from Baltimore in reply to his offer. His anxiety, however, for the decrees of the Council did not allow him to rest easy in the expectation of what might ultimately be returned from Rome, and so he wrote Archbishop Gibbons again, March 21, 1885:

> The more I think of it, the more am I persuaded that we need more force than has gone to Rome. Fort Wayne will not defend the Bishops against the Religious, &, as I see it, the Religious are but in the beginning of an absorbing move that, if not fully and vigorously stayed, will leave the future with trouble enough. This is a prolific subject. Again the Statutes for immoveable rectors can not be safely disturbed, if we are to exist as bishops. This rebellious & insolent element must be met with something else than honey or sweet words. Now, with the prejudice of Franzelin & others, are the men, who have gone, equal to cope? I gravely doubt; Fort Wayne will shrink at the word of Rome, and be caught by Roman civilty; & honestly I fear Augustine will not have pluck and perseverance. All this disturbs me more than I can tell, & now, with my home struggle, I am fairly non-plussed. I shrink from being obtrusive,—and I have no right in any sense to be so, & so beforehand beg pardon, if out of order or improper,—but it has occurred to me, if Rochester would go, much could be done. If

he & I went after Easter & remain for two months, the four of us could fully discuss the essential points by July. As it is, I would find it difficult indeed to go, but, as I have said already, I deem no sacrifice too great to bring back our work as it went. Please pardon my boldness, & believe it entirely due to your great kindness & confidence you have shown me.[4]

Bishop Dwenger of Fort Wayne and Bishop Moore of St. Augustine were the two envoys that had been sent to Rome with the decrees of the Plenary Council by the American Hierarchy. Like all men, Archbishop Gibbons did not like to go back of what had already been done, and for which, no doubt, he was largely responsible. Still this letter from Bishop Gilmour could not be passed over in silence, and so received an answer March 23, 1885:

I am just in receipt of your favor of the 21st, in which you propose to invite the Bishop of Rochester to accompany you to Rome. A stronger and more zealous companion you could not well select.

I have only one misgiving about both of you going, especially after the other prelates have already gone: that is, that Rome might look upon the advent of so many Bishops as an attempted pressure of our views upon her, & an attempt at coercion.

To remove such a suspicion or imputation, I would suggest that you would find & announce another *bona fide* motive for going (besides your interest in the decrees), for instance, a motive of health for both of you, which needs some relaxation. This and some other motives that may suggest themselves to you, while saving you from any suspicion of exercising any pressure, will not interfere with the exercise of your zeal, while you are in Rome. The authorities even will be glad to have you there for consultation.

I congratulate you on your school victory, which I read with interest on Saturday night in the *Universe*.

I had a letter this A. M. from the Card. Secretary of State, acknowledging the receipt of a copy of the *schema*.[5]

This amounted to a practical refusal to give proper credentials to Bishops Gilmour and McQuaid. Both absolutely refused to go to Rome without credentials, as their usefulness there would depend upon them. Bishop McQuaid showed no indecision about the matter. He wrote Bishop Gilmour three days after the Archbishop of Baltimore had penned the letter:

We are to trump up an excuse, through whose thinness a man half blind might see, and find ourselves in Rome nosing around for an opportunity of being questioned by a *minutante* or secretary,

or possibly a cardinal on some *fool question* connected with the American Church. I do not propose to go to Rome on any such errand.

A fair proposal was presented to his Grace, and he was not able to appreciate it, or what is more likely he had not the courage to do what is required of him. Furthermore, I don't believe that, after the first few days in Baltimore, it was even intended to have you go to Rome. Still Baltimore had said so much to you, it became necessary to back out of the original proposition gracefully. I did not quite fathom Baltimore's first letter to you and the drawing back in this second letter, when it was seen that you were prepared to go to Rome at any sacrifice.

When in New York I heard from Corrigan, and he had it from Dwenger that it was never meant to send you. I don't quite believe Dwenger's statement, but at the same time I am satisfied that it was preferred to have a tool go than a man.

If disappointments befall the American bishops and Church, the blame will fall on his Grace who might have saved us, but feared to act like a man in the face of his superiors.

I have just read a letter from Archbp. Corrigan, in which he says that Dr. O'Connell is to return to this country in June. This looks as if the Council would be despatched promptly, or else be postponed for the autumn.

Don't trust Dwenger too much. His skin, the marrow of his bones, his blood is Teutonic.[6]

News from Rome was not very encouraging, and Bishop McQuaid came to the conclusion that he communicated to Bishop Gilmour, March 31, 1885: "Under the circumstances, it is better that neither of us go to Rome at present. You may be sure that the decree, in which you and St. Paul were so much interested, concerning the holding of parish property by religious, will be altered or stricken out. The *Acta* and *Decreta* are at present in the hands of Sepiacci, the Augustinian. He will subdivide the work, giving portions to different consultors together with his *votum*. Roman rumor has it that considerable changes will be made. It is a good thing that we know what was sent to Rome. Keep your copy of the *Acta et Decreta*. Archbishop Corrigan has one, and no doubt others have."[7] One thing was certain. Bishop McQuaid was no longer tempted to intervene in the matter at Rome. Furthermore, he could not see how Bishop Gilmour could go to Rome in the actual condition of affairs. If the latter still had any doubts about the affair, they must have been dissipated by Bishop McQuaid's letter, April 12, 1885:

The Archbishop of Baltimore suggested to you to go to Rome to explain and maintain the decrees of the Council. It was understood, if not expressly stated, that you were to go as the Agent of the American Bishops to speak and act in their name. You placed yourself then and since at the command of his Grace, without regard to your own convenience. His Grace fears to assume the responsibility of conferring the authority needed and wishes his agent to go without credentials.

In going to Rome, you must have a document to show that you are empowered to speak and act in a representative character. Without this, you are better at home. When the English bishops contended for the *Romanos Pontifices*, they authorized two bishops to go to Rome and stay there until the questions in dispute were settled. Rome had to pay attention to their representations. We, in the United States, do not know how to do business in Rome.

Archbp. Gibbons saw what was right to be done in the beginning, but some wise bishop remarked that Rome might think that we were trying to bring pressure to bear on ecclesiastical authorities in the Eternal City. And so it will not do to annoy or offend or incommode those high in authority. His Grace would be pleased, if you could go to Rome on your own "hook," and save the American Church, without the possibility of his incurring any displeasure.

I am satisfied that our *decrees* will be radically changed, and that the inconvenience to the American Church will be disastrous, and all owing to the weakness and timidity of his Grace of B. This strong conviction is founded on the fact that the preparation of the matter of the Council is entrusted to Sepiacci, the Augustinian, who expected to come to America as Delegate, and as such preside at the Council. His game was blocked by the action of the Archbishops in Rome, and it is not in human nature to look with favor on the work of those who opposed his "little" scheme. A private letter to me says that the rumor current in ecclesiastical circles is that "considerable changes may be looked for."

I am also convinced that strong and persistent representations would hold Roman authorities within bounds. Such representations to be effective must come from the American Hierarchy through accredited agents. It will not even suffice for the Archbishop of Baltimore alone to accredit such agents. He should have the co-operation of the other Archbishops. Thus united, he need not fear adverse criticism for himself. But he will get plenty of it, should there be radical changes through his default.

I would not for the world go to Rome this year in any other capacity than that of the formal and accredited agent of the American Hierarchy. I happened to be in Rome in 1878, paying a canonical visit *ad limina*, and then and there by bold officiousness staved off a great calamity for the American Church. I know the temper and calibre of my brethren in the episcopate too well to expose

myself to their sneers and pity by going on an unaccredited mission, which might be a partial failure in spite of our best endeavors.

The above covers the ground and expresses fully my views with regard to the treatment of our decrees in Rome, and the advisability of any one going to Rome as a private scout.

If the bishops now in Rome, or about to go there, should forsee the danger of great changes in important questions, they might succeed in postponing action until next Autumn or Winter, and thus give us a chance to defend and explain our work in a determined and authoritative manner. It should be placed clearly before Rome that great and radical changes make the Council the work of the Roman Congregations, and not the work of the American episcopate.[8]

Bishop McQuaid had written this letter for Bishop Gilmour alone, but a postscript adds: "As I drew toward the close, it struck me that the reading of it by his Grace might do him good. So if you think well of it, you might send the letter, but not this postscript, to his Grace. It contains one sentence rather severe. If you take the same view of it, you might copy the letter, less the severity portion."[8] However, Bishop Gilmour had already written Archbishop Gibbons "that, sent without letters accrediting me as agent and associating me with those gone as the agents of the American Hierarchy, I could not go and that this was the opinion of several bishops and our archbishop whom I had consulted, and, as he (Ap. of Baltimore) hesitated to so accredit me, I deemed it best not to go." Bishop Gilmour had received no answer to this, when he wrote Bishop McQuaid, April 14, 1885:

I am now convinced little good would be done unless two new bishops are sent. So I will let the whole matter rest as far as I am concerned. But why the American Hierarchy should shrink from urging & *insisting* on their work being maintained, I do not see, nor did you nor I find that Rome was so stubborn when men spoke to her & gave her reasons for their faith & wishes. What in God's name were we called together for? Was it to play lawmakers, & then let our laws be thrown into the fire by Roman officials who but imperfectly understand our needs? If so, then indeed send not agents, but, if we have the conviction that our *Acta & Decreta* are what we need, then why not insist on their maintenance?[9]

Although Bishop Gilmour received a letter giving a brighter outlook for a successful issue, he could only remark: "I hope it may be true, but I doubt against hope."[10] When

Bishop McQuaid received this bit of news, he observed: "It is to be hoped that his Grace's bright hopes may be realized. The papers say that the Bishops of Erie, Omaha, and Dakota leave this month for Rome. Marty will back up Dwenger on the rights of Religious. Erie will do nothing. Of Omaha, I cannot say much." He had a suspicion whence most danger threatened: "It is evident that we have to dread Franzelin more than any one else; he is German and Jesuit; his prejudices against us are very strong; he needs to be taught a lesson or two. If the Archbishop of Baltimore could only summon up courage enough to write a judicious letter to the Pope or to Cardinal Simeoni, there would be little meddling with our work. But alas! the hat might be endangered!"[11] After all, Bishop Gilmour did not leave the matter alone as he had threatened. He again carefully outlined his attitude to his own Metropolitan, Archbishop Elder of Cincinnati, April 28, 1885:

> A Bishop goes to Rome either on his own or another's business. If on another's, then he must be so accredited. The English Bishops kept a bishop in Rome for four years, alternating and each accredited, to care for the *Romanos Pontifices* struggle with the Religious. A bishop, without accredited position, might easily be ordered home, or snubbed, or left in the ante-chambers of the Propaganda to be quized by the *minutante*. I offered to go & remain till the work was done. If the bishops wished me to go, they had but to accredit me, the more as the going was a novelty, and not leave a bishop to work his own way & by his own ability to succeed or fail. They (the Bishops) could afford to be snubbed, but the individual could not. I certainly will not go without position, nor attempt to speak to Rome as a mere individual. *We* have spoken as a whole, & the advocates of *our acta* must speak in one name, else they are out of place.
>
> Half an eye can see that there is needed more strength than has gone, & if they have gone, as I pretty well know they have, unaccredited, then their position is anomalous in the extreme, & if the *decreta* are returned as we made them, it will be due to the force of the *decreta* & not to those who have gone. As it now stands, I will not go. I did offer to go & see it out, if properly and officially accredited. If this cannot be done, then those who have gone are simply officious intruders & will do harm by pretending to speak for the American Hierarchy, & acquiescing, will commit us all to what we never consented. Better let Rome *force* her laws rather than we be made to *appear* to acquiesce in what unaccredited agents pretend to do without our consent. Such are my views on the case.[12]

The decided views determinedly advocated by Bishop McQuaid and Bishop Gilmour finally prevailed. Archbishop Gibbons informed Bishop Gilmour accordingly, May 7, 1885:

> I have conferred with the Archbishops of Cincinnati, Philadelphia, Boston, & the coadjutor Archbishop of New York, & the Bishops of Peoria & St. Paul on the expediency of your going to Rome for the purpose of explaining to the Holy See, as far as is deemed necessary, the reasons which impelled the Fathers of the Council in formulating the various decrees, & in presenting the petitions which accompany them, & to give all the information that may be asked. For, they all agree with me that your presence in Rome is very desirable, that you are thoroughly acquainted with the peculiar conditions and wants of our country, that you had an active part in formulating the decrees, and that you are well qualified, by reason of your large experience, to give useful information & to show forth the grave reasons which prompted us in adopting the measures which, with all obedience, we submit to the decision and final action of the Holy See.[13]

Archbishop Gibbons and all the prelates mentioned by him signed the credential letter for Bishop Gilmour, which was addressed to Cardinal Simeoni, Prefect of Propaganda. They had no difficulty in assigning a good reason for their action, as the Holy See needed opportune information on the relations of the Church and the Civil Law of the country, especially in regard to church property. It was too difficult to explain the intricacies of the pertinent Civil Law by letter, and so they wrote: "Since, therefore, the present Bishop of Cleveland is most experienced in these affairs, and has already professed his readiness to assume this burden, we commend him most humbly to your Eminence, knowing well that he can and will most faithfully report the sense of the Plenary Council, and clearly explain whatever is abnormal or ambiguous in our civil law."[14] On the receipt of this credential letter, Bishop Gilmour hastened to inform Archbishop Elder of his plans, May 10, 1885:

> In consequence of the letter sent me by you and others, I do not feel myself free to refuse. So will sail next Saturday 16th, going directly to Rome. It would have been better if I had gone in the beginning, but, as it is, I can but do as best I can. I hope the good sense of Rome will render the task easy, & the prudence of those, who have gone, will no doubt have done much.

RICHARD GILMOUR, D. D.
Bishop of Cleveland
1872-1891

JOSEPH DWENGER, C. PP. S., D. D.
Bishop of Fort Wayne
1872-1893

JOHN MOORE, D. D.
Bishop of St. Augustine
1877-1901

The weather will be adverse, & the summer vacation may render the stay longer than [expected]; but we must be guided by circumstances.

I will leave here Wednesday 1 P. M., meet Archbishop Gibbons at Cumberland, & go thence to N. Y. Pray please for my safe return.[15]

Bishop Gilmour's mission to Rome was fully justified, as it saved the Council to a large extent in points that were then regarded as vital for the welfare of the American Church. The work leading up to final approval of decrees was already begun before his arrival, continued for a part of the summer, and finally concluded in the fall of the year. He gave Bishop McQuaid an account of the first state of the work, July 5, 1885:

I have purposely abstained from writing you or any one else up to now—one letter to Mgr. Gibbons the second day after my arrival excepted—so as to try and disarm the jealousy my arrival caused my confreres here, who took it as a sign of lack of confidence in them. Mgr. Moore leaves for home in a few days, & Mgr. Dwenger goes to Switzerland Tuesday to be absent to Aug. 1st, when he returns to begin work with the *consultors*, after whom come the *Cardinals*.

The status is this—up to now consultations, explanations, & arguments have been pretty fully, & I think, fairly successfully made by all those here, individually and collectively, to the officials of the Propaganda, the Holy Father, & several of the cardinals and consultors, who will now be called upon for official action. All these explanations and criticisms are being now printed with the entire *ponenza* to be submitted to the consultors, who will get all this about the 20th inst. About Aug. 10th, the Secretary of the Propaganda will call these consultors together, discuss the *ponenza* with them. Then their views will be also printed, & the whole submitted to the Cardinals, after which it goes to the Holy Father,—as you can easily see—, a process of *time*. When the end will be reached, is not so clear. Much has been done, but the real work is *now* to be done—*rather is to be done when* the official examinations and discussions begin.

If I get the conditions of things correctly, it is as follows: The Secretary of the Propaganda & Sbaretti are strongly in favor of the decrees. Sbarretti has written a fine argument in their favor & will go far in the *Ponenza*, which he has entirely prepared, to help for their adoption. The Card. Prefect is non-committal, but supposed to be favorable though it is asserted he is much influenced by Card. Franzelin, who is strongly adverse. Mgr. Dwenger thinks, however, he has much softened him. Mgr. Dwenger has been quite industrious & had labored, with zeal, to honestly maintain the decrees as they are passed & *printed*.

The *consensus* will be firmly pressed, but I think the *consilium* will be ultimately accepted. It would not but for the work done by those here. There will be a good deal of opposition to the "Freedom from debt" condition, as it is feared here that it will render the Irr. Rectors almost impossible, and is suspected to have been inserted to nullify their establishment & give Bishops an excuse to decline establishing them. There is also opposition to the "ceding clause" for unpaid salaries. The diocesan institutions built by the diocese will be held as diocesan property, but there is grave doubt about *parochial* property managed by Religious. We will get the *Romanos Pontifices* & maybe our decree, but I somewhat doubt it. Bp. Vaughan is quite positive we will not, he doubts its propriety & justice, & says it is against common law; he also favors the *consensus* as does Card. Howard, though I think he will ultimately vote for *consilium.*

The above gives, as I see it, the status all round. I wish you would send me a copy of *your* paper, as it may be much needed ere we are done, & if you have not sent it, please send me your views fully so I may be able to use them. I will get in a day or two, Card. Manning's articles on the Delegate question.[16]

The references of this letter to the legislation of the Council are all intelligible in the light of the previous chapter, except as regards the "ceding clause" for unpaid salaries. No. 273 of the approved decrees directs Bishops to establish a fixed salary for the rectors of churches, with the counsel of their consultors, in a synod or outside of a synod. In the discussion of this point, December 2, 1884, Bishop McQuaid proposed, instead of the text of the Schema, that "some sum be named for the fitting support of the priest, who was not to get a right thence to cite the Bishop or the congregation before the court." Nearly all agreed to this, and the number was afterwards changed and enlarged according to the mind of Bishop McQuaid.[17] No. 281 of the approved decrees points out the grievous inconvenience suffered from any neglect, on the part of priests, to exact and take their salary at the proper time, and, therefore, declared the failure to take the salary within a year or at least, to make a written demand for it from the Ordinary or his Chancellor, equivalent to a cession of the salary, without any further right afterwards to demand its payment. Despite opposition to this and other points at Rome, the outlook seemed encouraging at first, but later great difficulty was experienced by the American Bishops in their efforts to maintain the work of the Council. Of this, Bishop Gilmour wrote Bishop McQuaid, November 5, 1885:

It is difficult to understand the gentlemen of the Propaganda. One thing I now do understand, & that is, Franzelin is the evil genius of the American Church, & he dominates the Propaganda. Another thing I fully understand now, & that is, Religious dominate the Councils of the Church.

Mgr. Moore proved a firm & steady quantity, lacking in the power of initiative, but excellent in sustaining, when measures were proposed. He and I worked well, & alone we would have done well, but Fort Wayne would not work in harness. Either he or *nihil* was his motto.

They voted *consensus* with but *two* dissenting votes, & when I said we will see the Pope, Fort Wayne resisted, but we coerced him into going. This saved the council. Yet at the end, they have somewhat played foul, a thing only known when we saw the corrections two days before we left, but to beat them back, as we did, shows not only the need of sending, but the need of *choosing* the men sent. Had we not gone, little would have been saved worth saving. Rome does not understand America. I am glad & sorry I went to Rome, glad because we saved the council, sorry because I have seen of what & by whom we are governed. I am fully convinced of the divine guidance of the Church.[18]

Both Bishops Gilmour and Moore judged it necessary to put on record a protest against Bishop Dwenger's fitness, or rather lack of fitness, for the important mission to Rome in connection with the decrees of the Third Plenary Council of Baltimore. They based this protest upon his own language and acts in Rome, which they described to Archbishop Gibbons, October 3, 1885:

From the outset, he clearly showed a fixed determination to act alone and after his own manner, and when he was expostulated with for so doing and told his action, however well intended, would only have the weight of his individual authority, whatever that might be, and could not claim the same consideration nor have the same force as it would, if it were the joint work of all the Bishops, who were here on the same mission, and, by so acting, he was not carrying out the purpose of his presence here in Rome, he then boldly declared that he intended to pursue his own course, no matter what others might say or do. And it was only when a threat was made to report all this to your Grace, and he began to fear that a complaint might result in his recall, that he expressed a willingness to co-operate with the others. Still, notwithstanding this declaration, he worked alone, in so far as he could or was allowed to go, down to the very end. No proposal of action to be carried through *collegialiter* ever originated with him, and, when we deemed it necessary to make a stand on some important point,

and, in order to attain our end, judged that our best efforts should be put forth conjointly, we had to use the most delicate tact we could think of to ensure his co-operation. This was certainly conspicuous in the most important of all the movements that we made, when we tried to save *consilium*, for Cardinal Czaski has assured us that, if we had not gone to the Pope, it would not have been granted us, and yet because it was not of Bishop Dwenger's suggestion, he signed the petition grudgingly and went with us to His Holiness only half willingly. When we met together to argue a point with a Cardinal, and he, as the oldest Bishop, opened the subject, he was so prolix that, if allowed to go on without interruption, he would tire out everybody. His exposition lacks clearness and precision, and his effort to speak Latin, in which he thinks himself quite proficient, was painful. Cardinal Simeoni has told us that Bishop Dwenger threw out to him the suggestion that, in order to help raise revenue for the Holy See, it might be well to charge fees for marriage dispensations in America and for bulls of Bishops. From this fact and from the knowledge we have of his character, we really think that he may even have made, in his private interviews with the officials of the Propaganda, imprudent concessions in regard to some of the decrees. We, at least, fear and suspect that he did. His tongue hardly ever ceases boasting of his own great talents, "nobody will ever take me for a fool,"—his prudence, his tact, his influence in Rome; and his vanity is so great that he never for a moment has any suspicion of the disgust he excites in all who unfortunately are compelled to listen to him. He showed a marked desire to please the Propaganda in everything and carry favor for himself with the authorities there.

For the sake of the important work entrusted to us, we bore with his selfish ways and his vain boasting as patiently as we could, and kept the resolution we had formed to have no quarrel with him, and now that our task has been brought to a successful issue, we would express the hope that the Bishops, who will have to undertake a similar labor after the next council, may have the good fortune to be able to work together harmoniously.[19]

When Bishop Gilmour had returned home, Bishop McQuaid hastened to tender his congratulations on the "marked success in Rome. I never think of the latter without a feeling of indigation coming over me at the blind risk taken by Baltimore in leaving the safety of the work of the Council to Moore and Dwenger."[20] This did not prevent Bishop Gilmour from expressing his appreciation of the part taken by Archbishop Gibbons in the great work, April 23, 1886:

Permit me to thank you for the copy of the Council you so kindly sent me. The more I read our work, the more I admire it & deem it a grand code of law that, for many years to come, will be felt

in the church of the United States. Where its provisions are not, or are but partially, in use, there will be a great deal of grinding for a few years, but this will pass away. Where its provisions are in use, there will be confirmation, strength, and an end to growling. The more advanced will be vindicated & encouraged. The lagging will be spurred, all profited. After all, much is but the confirmation of the II Plen. C. or the explanation of embryo thought. The cry was we did not keep the laws we made, but, where the laws made were fairly enforced, there was wrath and for a while assault. I thank God for this code that now speaks in no doubtful tone. Let it only be honestly kept and firmly enforced, & God will see to the rest.

I think the letter press is very good. It is said by some that the paper is not so good as in the II Council, & that there are a few typographical errors, which so far I have not noticed in the half I have carefully read and marked.

The *dubia* concerning Rectorates, the establishing of curias, where there are not professors of law and theology, will be grave troubles, but time will provide even for these. Personally I thank you for your great kindness to me during the work, of which you have been so successful a head.[21]

After Rome's approval had been obtained for the decrees of the Third Plenary Council of Baltimore, measures had to be taken to provide for their execution throughout the dioceses of the United States. Bishop McQuaid informed Bishop Gilmour, April 17, 1886, that "the Bishops of the New York Province met in New York last week and agreed upon a short pastoral to be issued before Easter. In it attention is called to certain chapters of the Third Plenary Council, needing to be heeded at once; and also saying that Conferences will be held during the Summer for the smooth adjustment of the machinery created by the Council before setting it in motion through diocesan synods to be held in the early autumn. This pastoral will be read in all churches immediately. It will show priests and people that we are in downright earnest, and it will give a hint to other Provinces to *'Festina lente'*."[22] When the Pastoral of the Province was issued April 15, 1886, it ordered the following injunctions to be carried into effect without waiting for the action of diocesan synods:

1. The chapter *De Vita et Honestate Clericorum.* Its wise and strengthening counsels, if heeded, lend dignity to the priestly character, protect the honor of the priest, and exalt him in the love and veneration of his flock. The chapter repeats and confirms much that is given in the Second Plenary Council.

2. The first chapter of Titulus VI, on Parochial Schools, legislates clearly and definitely on the duty of Bishops, priests, and laity, with regard to the establishment and support of Christian and Catholic schools, especially of Parochial Schools, which constitute the majority of schools, in which religion is not divorced from education. The question of the utility and necessity of these is no longer an open one. The great educational problem of the day, in this country as in most countries of the world, is how best to promote the establishment and permanent efficiency and growth of schools in which secular learning and religious instruction shall be combined. No doubt, the keeping up of an efficient parochial school system in a parish or rectory will try the courage and capacity of the rector; but the difficulty of the task will find rich compensation in the blessings which Heaven will shower on the pastor and his flock. The very magnitude of the work prompts increased zeal and sacrifices on the part of both. The cause of Christian education, so strongly advocated in the Third Plenary Council, so fully endorsed by the Holy See, so lovingly presented to the whole world by the Holy Father in his Encyclical Letter, directing a portion of the Jubilee alms to be set aside for such schools, is worth a priest's best labors and the people's unstinted generosity.

3. By order of the Council a Catechism was prepared for general use in the United States to bring about uniformity in the manner of presenting our doctrines and religious lessons to the children. This Catechism has been enjoined by the Council, and must be used in preparing First Communion and Confirmation Classes, and in teaching Christian Doctrine in parochial schools on and after the opening of the next scholastic year in September.

4. The chapter on "forbidden ways of collecting money for pious purposes" is one of pressing urgency. The season for picnics and excursions is at hand, and it is expedient that the abuses growing out of these and other modes of raising money should be abated.

The preamble of the Pastoral declared the intention of the Bishops of the Province "to hold two or more conferences during the summer months as a help to secure the best means for giving effect to the wise precepts and injunctions of the Council, preparatory to their enforcement in diocesan synods to be held not later than the coming autumn."[23] One of these was set for May 20. When Bishop McQuaid informed Bishop Gilmour of this fact, he made the frank request: "Will you do me the favor of making known such suggestions as may have occurred to your mind in relation thereto."[24] After the meeting, he wrote Bishop Gilmour, May 22, 1886: "We went over most of the points. We agreed on many, postponed the consideration of some to another meeting to be held at the end

of August or beginning of September, and requested the Bishop of Albany, who leaves for Rome today, to enquire in regard to some of our doubts. The secretary of our meeting will make a transcript of our doings, which I will send you as soon as I receive it, having asked permission to do so. It may be of some assistance to you, just as your discussion may help us in our second meeting."[25] When Bishop McQuaid sent the minutes of the meeting on June 1, he again remarked: "You will notice that there was a fair share of indecision. Several doubts were referred to Rome, and others postponed till our second meeting in September. Time was needed for consideration and consultation. Many points had not been thought of until the last moment."[26] Two months later, July 26, 1886, Bishop McQuaid made a request of Bishop Gilmour: "If you have a spare copy of the minutes I sent you, I would like to have it, or better the original, to show to the Archbishop of Boston, who is to spend a couple of weeks with me at Hemlock Lake."[27]

All preliminary work was finished by the end of the year, so that Bishop McQuaid could write Archbishop Corrigan, December 27, 1886: "I am undecided whether I shall hold the Synod in January, or wait until Easter week. The weather is apt to be severe and stormy until after Easter. The Consultors are appointed, and there is nothing else pressing."[28] However, it was not until June 2, 1887, that the Second Diocesan Synod of Rochester was indicted for June 14, to adapt usefully the decrees of the Third Plenary Council of Baltimore and of the Fourth Provincial Council of New York, already approved by the Holy See and duly promulgated, to the condition of the Diocese of Rochester, furthermore, to promulgate them with the Statutes of the First Synod of Rochester. These Statutes were to be a little changed or enlarged. The priests of the Diocese received a Schema of the intended statutes, and they were asked to read it attentively in order to be able to offer fitting suggestions in the Synod, if any had to be made.[29]

Chapter XXVII
COURT PRIVILEGE

Although Bishop McQuaid did not go to Rome as one of the envoys to push through, as far as possible, the Acts and Decrees of the Third Plenary Council of Baltimore, Rome itself put Bishop McQuaid in charge of a case that gave him another opportunity to render signal services to the American Catholic Church. He informed Bishop Gilmour, November 2, 1885: "I expect to be busy with a case sent me by the Propaganda for final adjudication. It is that of Rev. Jas. O'Sullivan against St. Mary's Church, or rather against the Bishop of Albany."[1] It threatened to interfere with a planned visit to Cleveland, where Bishop McQuaid was anxious to hear from Bishop Gilmour's own lips the details of the latter's mission to Rome for the approval of the Council. Bishop McQuaid, therefore, wrote, November 27, 1885: "I am afraid that I shall not be able to run out to Cleveland until after Christmas.....I have been trying to get the examination started, but the Rev. Gentleman pleads sickness to bring about delay. In reality, it is commonly reported that he had written to Rome to protest against my appointment. Should I be relieved of the case, I shall be free to go to Cleveland at any time after Christmas, if that suits your convenience. Should the answer from Rome leave the affair with me, I propose to take it up most seriously and earnestly, and demonstrate that a long-suffering people have *rights* as well as priests. There are some important principles at stake, and I propose to enlighten Roman Monsignori a little by my statements."[2] Bishop McQuaid made the issue involved in the case much clearer in his letter to Bishop Gilmour, January 14, 1886:

> Rome sent me a case of a priest in the diocese of Albany against the parish, where he had formerly been pastor, to adjudicate definitively and without appeal. It has been in dispute about fourteen years. It has been and is still before the civil courts. Before taking up the case, I required the plaintiff to withdraw the case from the secular courts. Of course, he refused. So I sent back the case

> to Rome, as there was in this country a higher court than that of Rome, to which recalcitrant priests might appeal against the unfavorable sentences of ecclesiastical courts.
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> In a couple of weeks, I shall know Rome's decision on this very important point. Two inappealable courts will present a novel phase in juridical arrangements.[3]

Bishop McQuaid was convinced that "this case, and that of Rev. Mr. Early, and statements that I have presented to Rome will move the authorities there to draft and issue some regulations on this matter which will remedy an old evil."[4] A letter, written by a friend in Rome, January 25, 1886, gave him reason to look for the favorable intervention of Propaganda: "Sbarretti told me then that it was decided to submit a dilemma to O'Sullivan, either to withdraw his case from before the civil courts or to be suspended *a divinis ipso facto* at the expiration of the short term of days given him for obedience."[5] Bishop McQuaid, therefore, looked for a speedy answer in this case, and evinced considerable impatience when it failed to arrive.[6] However, he himself was responsible for the delay, as he informed Archbishop Corrigan, April 7, 1886: "The delay in Rome is occasioned by Sbarretti waiting to hear from me to send him what he needs for getting ready his *Ponenza*. I have written to several bishops for facts. Some have answered; others have not. I want to show the frequency of these appeals, the cost to bishops, the scandals, and the necessity for prompt cessation."[7] This was precisely what Bishop McQuaid was asked to send Sbarretti, and so he earnestly set to work to prepare the document, for which he had already been collecting material.

As early as February 9, 1886, he had written Bishop Gilmour: "You will do me and yourself a favor by sending me the names of priests that have, within a few years past, brought their bishops into the civil courts, either against them personally or churches under their care. Names, approximate dates at least, and leading feature in the case, a few lines will suffice." Bishop McQuaid wanted "to present as formidable an array as possible to Rome to lead to special legislation on this subject. I will write to half a dozen bishops that I can trust."[8] A couple months later Bishop McQuaid again wrote Bishop Gilmour, March 26, 1886: "Rome is awaiting my statement of the case of priests bringing bishops and churches into

civil courts. I must now get together all the facts I can scrape together. The law I will gather from legal decisions. Send me what you have in addition to what you have already sent. You said something about Dwenger and Borgess having such cases in their dioceses. I will write to them and again to Chatard, who did not answer my first letter."[9] Bishop McQuaid made such good progress that he was able to inform Archbishop Corrigan, April 12, 1886: "It is likely that my memorial will go into the hands of the translator today."[10] Easter Sunday he wrote the same prelate: "The memorial was mailed on Thursday. The same day I sent a cablegram stating the fact. Some days were lost owing to the translator's sickness."[11] When Bishop McQuaid received additional data from Bishop Gilmour, he wrote, April 7, 1886:

> Bishop Chatard's cases were already in my hands, and have been used by me in drawing up the memorial to be presented to Rome.
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> It is a long document containing American law on the subject, 20 cases of clerics sueing bishops and church corporations, the scandals arising therefrom, and the heavy expenses incurred by such suits.
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> The whole mischief has come from a faulty interpretation put on the 156th decree of the second Plenary Council by our learned *American Canonists.* I write that, if the 84th decree of the Third means no more than the other thus interpreted, the evil will grow in magnitude. It is quite sure, however, that Rome will come out with a very strong letter of Instruction, similar to the one published by the Sacred Penitentiary through Cardinal Monaco, bearing date Jan. 23, 1886, which no doubt you have seen.[12]

Two days later Bishop McQuaid pointed out to Bishop Gilmour where he might find this: "I call your attention to the last number of the *Acta,* in which you will find the decision of the Sacred Penitentiary on this same question. It foretells the *Instruction* or *explanation* that will be sent to us. The fact is our learned Canonists have been leading us astray with regard to mixed cases, in which money or property was concerned."[13] Months after this Bishop McQuaid returned to Bishop Gilmour a letter from Bishop Phelan "which reached me only this morning. Bishop Phelan had already written to me, and his cases are included in the Memorial."[14] The decision, however, was not made by the Sacred Penitentiary, as Bishop McQuaid thought, but by the Congregation of the Inquisition.

Cardinal Monaco, January 23, 1886, gave an official explanation of a chapter in the constitution of Pius IX, *Apostolicae Sedis moderationi,* IV, id. Oct., 1869, according to which persons, either directly or indirectly compelling lay judges to cite ecclesiastics before their tribunal over and above the dispositions of the canons, likewise persons, promulgating laws or decrees against the liberty and rights of the Church, incur an excommunication reserved in an especial way to the Roman Pontiff. The Supreme Congregation of the Holy Roman and Universal Inquisition had, indeed, more than once declared that the chapter, *Cogentes,* referred only to legislators and other authorities, forcing directly or indirectly lay judges to cite ecclesiastics before their tribunal over and above the dispositions of Canon Law. When Leo XIII approved and confirmed this explanation of Canon Law, the Sacred Congregation of the Inquisition decided to communicate it generally as a rule for all Ordinaries. However, in places where there was no derogation of the *privilegium fori* by the Supreme Pontiffs, permission was to be obtained from the Ordinary for conventing clerics before the lay court, if there was not other way to gain one's rights. Ordinaries were instructed never to deny this permission, especially if they tried in vain to settle the dispute between the contending parties. Permission was required from the Holy See to convent Bishops before the lay court. If any one dared to cite, before a secular judge or judges, either a cleric without the permission of the Ordinary, or a Bishop without the permission of the Holy See, the Ordinaries were empowered to punish such a one, especially if a cleric, with penalties and censures *ferendae sententiae,* as a violator of the *privilegium fori,* if they judged it expedient in the Lord.[15]

Bishop McQuaid was not mistaken in his surmise as to the character of Propaganda's reply in the O'Sullivan case. It was dated July 13, 1886, and reached Bishop McQuaid at least by July 26, as he hastened to communicate the good news on that day to his Metropolitan, Archbishop Corrigan, and also to Bishop Gilmour. He wrote the former: "I inclose, in this registered letter, the official answer in the O'Sullivan case. It sufficiently answers every purpose. I will take his case by requiring him to remove it from the civil courts within a specified period."[16] Bishop McQuaid excused himself

for not sending a copy of the document at once to Bishop Gilmour because of the hurry he was in to get it to Archbishop Corrigan to be used also in the settlement of the Early case: "When it is returned, I will send you a copy. It will put a stop to civil suits in the future except by scalawags who contemn the Church."[17] A week later Bishop McQuaid was able to promise Bishop Gilmour a printed copy in a day or two. He also then told him: "I am acting on it in the case of O'Sullivan vrs. St. Mary's Church of Hudson. It will cover the case of Early vrs. St. Patrick's Church of Rochester. It turns out that his bishop is backing him up bravely. I have always felt that Bishop Ryan was at the bottom of my trouble, but others are beginning to see it as well."[18] Cardinal Simeoni wrote Bishop McQuaid the decision of Propaganda, which plainly declared that it would never admit the recourse or appeal of priests, who dared to cite, before lay judges, either a cleric without the permission of the Ordinary, or a Bishop without the permission of the Holy See, unless they first abandoned the case in the civil court. Furthermore, according to the explanation of the chapter, *Cogentes,* by the Supreme Congregation of the Inquisition, January 23, 1886, Bishops have the power to punish recalcitrant clerics for the infraction of this rule with penalties *ferendae sententiae,* especially with suspension *a divinis,* under the due observance of all formalities, according to the gravity of the case, if they judge it expedient in the Lord. Ordinaries are not to refuse permission to convent before lay courts, especially after having tried in vain to settle the dispute between the parties involved.[19]

All that was needed now was to put this legislation into execution so as to save the Church much scandal, trouble, and expense. This was no easy matter, as Bishop McQuaid himself discovered in his efforts to settle the case that occasioned the Propaganda legislation. He informed Archbishop Corrigan, August 11, 1886: "O'Sullivan of Hudson writes to say that he no longer has anything to do with the suit with Hudson Church; that he has made over his claims to his brother to pay his debts. I answer that he cannot pay his personal debts with church money; that, so far as we know at present by the decision of the Metropolitan, the church at Hudson owes him nothing, and for him to alienate *bona ecclesiastica* is a serious offence for which he incurrs severe penalties. I

tell him, furthermore, that, as he has appealed to the Holy See, to take his case away from the jurisdiction of the Holy See and place it before the civil courts is a gross indignity, etc."[20] Despite all earnest efforts, the case did not progress, and Bishop McQuaid had to confess to Archbishop Corrigan, December 27, 1886: "I cant bring the O'Sullivan case to an examination. I require the books of the church as a preliminary step. I want his account books for the last ten years of his administration of Hudson, inasmuch as he goes back ten years in his demands. Here the case comes to a standstill."[21] There must have been some difference of opinion on the conduct of the case, as Bishop McQuaid remarked to Archbishop Corrigan, January 4, 1888: "Bp. Ludden paid me a short visit yesterday. He was quite well. He laughed a bit over the O'Sullivan case. I did not argue it with him, as he was set in his opinion."[22] In fact, the case never came to a settlement, but died with the principal. Thus, Bishop McQuaid wrote Archbishop Corrigan, March 2, 1888: "The Propaganda has written for an opinion on the O'Sullivan case, even if he is dead and no claim likely to be made by his heirs. I will send it after Easter."[23] He did not send Cardinal Simeoni the report till October.

> When I received the letter of your Eminence, bearing date Sept. 18, 1885, according to which I was to act as Apostolic Delegate to hear and decide definitively the case of Rev. James O'Sullivan of the diocese of Albany, against St. Mary's Church, Hudson, of the said diocese, I read with attention the documents in the case, forwarded to me by the Propaganda. Upon the statements therein presented by the parties interested and the decisions already given by the Metropolitan Commission, I might, with positiveness and judicial exactness, have rendered a decision. But a hasty decision would not, in my judgment, have accorded with the wishes and expectations of the Sacred Congregation. Besides, there were important questions at issue outside of this particular case, bearing upon ecclesiastical legislation and government, which required to be settled fully as much as particular claims of *il sacerdote* O'Sullivan.
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> In the first place, I noted that Rev. O'Sullivan had introduced his case into the civil courts where it was kept more *in terrorem* than because there was the slightest expectation of a decision in his favor, had it been forced to a judgment. For that matter, had there been a prospect of a favorable decision, he would have pushed it to a settlement in said court.

Your Em. may remember that I brought up this question of the right of a cleric to enter the civil courts against a bishop or an ecclesiastical corporation, of which the bishop is the head, without the permission of the Holy See. In your Em.'s letter of *il 13 Luglio*, 1886, No. 3252, the decision of the Sacred Congregation of the Propaganda rendered on the 17th of May is given. Immediately on its receipt, I communicated its contents to Rev. O'Sullivan, requesting him, without delay, to remove his case from the civil calendar. He answered that his claims had been assigned to his brother, a layman, and, consequently, he could not withdraw the suit. I answered that he could not escape ecclesiastical censure in this way, that no examination before an ecclesiastical court could take place until this case was removed from the record. No attention being paid to my letter, I again wrote a letter dated Nov. 15, requiring him to comply with the instruction already given in my letter of Aug. 9th. On the 25th of Nov., the priest's brother wrote to me that my directions had been complied with and that the case had been taken out of the civil courts. Whereupon, on Dec. 3, I informed him that nothing now remained but to place the account books of St. Mary's Catholic Church in the hands of the church corporation, or in those of the bishop of the diocese, or of myself, and that I would at once proceed to an examination of them. I also informed him that I would undoubtedly, if I found these accounts complicated, place them in the hands of a professional accountant for his opinion thereon; and that I had requested the Very Rev. H. Gabriels, President of the Troy Provincial Seminary, to act as my secretary in this case, because he was known to be a great friend of Rev. O'Sullivan, and because of his eminent learning as a canonist.

To this letter of Dec. 3, I received no reply. In July of the ensuing year, Rev. Jas. O'Sullivan died, and since his death no communication has been received by me from any member of his family.

There can be no decision in a money case without the production of account books. So all civil courts would decide, and so an ecclesiastical one must decide. Rev. Mr. O'Sullivan was the Treasurer as well as the Rector of St. Mary's Church of Hudson. It was his duty as such to keep the accurate accounts with his church, of receipts and expenditures with the necessary vouchers therefor. That he did not do so, is clear from his refusing to place such books in the hands of the ordinary of the diocese, or of the Metropolitan Commission. He claimed large sums of money as due to him, but he failed to show moneys he had received during the ten years over which he spread these claims. He demanded for his services the largest salary given to any priest in the diocese of Albany, but he did not give St. Mary's Church his full services, as he was obliged to do, if he expected St. Mary's church to pay him full salary. He spent time belonging to St. Mary's on other missions in his district,

and consequently a portion of his salary should have been paid by these other missions. This is the common rule all over the United States, and is one that is founded on the simplest principles of justice.

It is evident from Rev. O'Sullivan's own statements that the income of St. Mary's was very large; that his expenditures for the church were very small until the last two years of his rectorate, when he built a schoolhouse; that, if he lived ten years in a rented house instead of building a suitable parochial residence, it was to save money from the church funds for himself; that he would not have been driven away from the mission by the people without very grave cause; that he had no just right to claims for money without being able to produce account books and vouchers. Consequently, the Ordinary of the diocese and the Metropolitan Commission of New York did wrong to hear his case before such account books were placed in their possession.

It is not necessary for me to take up the question of Rev. Mr. O'Sullivan's fitness to administer a mission such as Hudson or any other. His sobriety, in the sense of moderation in the use of intoxicating drinks, and his moral life are not disputed.

This opinion and the document sent to me by the S. Cong. of Propaganda will be handed in by me when in Rome. Should my opinion be desired on minor points, I can give it at the same time with the reasons therefor. Interested parties, unfortunately, encouraged Rev. O'Sullivan to persevere in his demands in the hope of obtaining more money from him.[24]

The Propaganda decision could also be invoked, as Bishop McQuaid at once indicated, in the settlement of an old case in his own diocese. In the beginning of the trouble with Father Early, Bishop McQuaid himself had advised recourse to a Referee, and, if this failed, to the civil courts. This was in 1876, when Father Early, on his resignation from the pastorate of the Cathedral of Rochester, presented claims for unpaid salaries and balances plus the interest for the sums loaned to the Church, as Bishop McQuaid understood, gratuitously. Two years later Bishop McQuaid still looked to the civil law for the settlement of another financial dispute. For, September 23, 1878, he informed Bishop Corrigan: "I do not know of any complaint against my administration now before Rome. A priest, suspended over ten years ago, now in Buffalo diocese, claims a large sum of money *with interest* as due him by one of the churches in this diocese. The case belongs to the civil courts, where eventually, if he push his claim, it will have to be decided. The priest, however, proposes to

begin with the Cardinal (McCloskey of New York) before sending his case to Rome. Behind the poor man stands Early. 'Anything to kill Grant.' I hope I shall never have anything to trouble me more."[25] Father Early's case was never taken to "a mutual arbitration court", but it was taken to the civil court. While the action was pending in the Supreme Court, Bishop McQuaid, according to a later statement of the assistant attorney, Mr. J. C. O'Brien, made strong objections to the submission of the case to a civil tribunal. Mr. O'Brien wrote Bishop McQuaid: "As far as I can know, the action was not instigated, suggested, nor carried to the civil tribunal by you, and that method of settling the controversy between the parties was contrary to your wishes often manifested in my presence at that time."[26] Under the circumstances, it is not surprising that Bishop McQuaid refused to accept the adverse decision of Judge Gardiner: "It was unjust and against the testimony produced at the trial." Later he became still more emphatic in his declaration of principles in the matter: "I did not appeal the case to a higher court, as the advocate for the church wished me to do, because I held that it was wrong for Early to bring his case into a civil court, and that it would be equally wrong for me to carry it to any other than an ecclesiastical court. I do not think that I erred in this decision. Besides, I always considered that Early, a disappointed priest who expected to be bishop of Rochester, never seriously meant to prosecute his claim, but kept it open as a means of annoying me."[27] Bishop McQuaid's patience finally gave way. December 27, 1884, he informed Bishop Gilmour:

> I have appealed to the Bishop of Buffalo in the name of the Y. M. Cath. Association of Rochester against Rev. Jas. M. Early to compel the return by him of $450, which he obtained unjustly by threats of legal proceedings in the civil courts. The preparation of the case falls altogether on me as Agent of the Association. The ecclesiastical court of Buffalo is strongly antagonistic to me; but as the case will have to go before the Metropolitan before going to Rome, I use the Buffalo court in the first instance as the right one, in which to begin the trial as a means of getting in all the documents, proofs, etc.
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> I shall settle down to this task on Monday and keep at it until the 15th of January, by which time I hope to have all things in readiness. Bp. Ryan will be heartily sick of the whole business by the time this affair is over. But, if he had been a bishop to a brother bishop, much of my trouble might have been avoided.

JAMES M. EARLY
Rector of St. Patrick's Church, Rochester, N. Y., 1865-1876
Rector of St. Ann's Church, Hornell, N. Y., 1879-1890

> These good gentlemen, who have had their war paint on for some years past, are expressing surprise at my belligerency. They will be more surprised by the time I am done with them.[28]

January 11, 1885, Bishop McQuaid was still "busy preparing my case against Early in the Buffalo ecclesiastical court. For a few days there is a lull pending the result of the demand of the laymen whose money was in the property as well as his, that he return the $450 unjustly obtained. If he refuse their action will greatly help me. The first meeting of about forty laymen was quiet and temperate, but determined. The second one, if their request be not heeded, will be stormy and public. So far nothing has got into the papers, Purcell of the Rochester *Union* is heading the movement of the laity."[29] A year later Bishop McQuaid was considerably alarmed by the threatened action of Father Early. He asked Archbishop Corrigan, January 18, 1886: "Have you heard further from Rev. Mr. Early? The first of January has gone by without any sign of carrying his threat into effect. He served notification on the three ecclesiastical members of the Board of Trustees."[30] Bishop McQuaid felt more reassured several days later: "It may be that Rev. Mr. Early only meant to frighten us about selling the Cathedral. He was quite successful with the Catholic Institute. However, we do not intend that he shall be allowed to keep the threat hanging over us all his or my life time. When we come to understand just how far Rome will sustain her own legislation, we shall know better what course to follow."[31] All fear gave way by February 1, 1886, when Bishop McQuaid wrote Archbishop Corrigan: "No sheriff so far! It begins to strike us here that the threat was only a bit of weak black-mailing. I had reason to believe that the threat 'meant business', and in my anxiety to avoid the horrible scandal which would ensue, I felt justified in calling you to hinder a neighboring bishop from conniving or shutting his eyes at the perpetration of the crime of an ecclesiastic, who sells chalices and vestments to get money which he can readily get, if it is found to be justly due, by bringing his case before the ecclesiastical tribunal."[32] Towards the end of the month, Bishop McQuaid was pleased to find nothing new developing in the case, "except a letter from Bp. O'Mahony indignantly denying having ever intimated in any way that Early had right on his side, and that

I ought to compromise with him. On the contrary, he had always justified me. It is evident that an attempt was made to frighten me, in this affair, into some concession to Early. After a week's absence, I did not find a single letter needing attention on my desk except the courtesy of one to Bp. O'Mahony."[33] The trouble preyed somewhat on his mind. At least, this seems to be intimated when he wrote Archbishop Corrigan, March 9, 1886: "I feel confident of disposing of the Young Men's building before many weeks. Two parties with large means are looking after it. It will be a great relief to my mind to be rid of it."[34] Bishop McQuaid, however, did not relax his vigilance. He informed Archbishop Corrigan, March 15, 1886: "Father Early was in town last week, and was very ugly in temper and speech. To a priest, who met him, he used the elegant expression applied to a bishop: 'Every dog must have its day.' My impression is that he will give way to his feelings of diabolical hatred of me by gross vilification and abuse. I will meet him wherever and whenever he gives me the opportunity."[35] This was not delayed much longer, as Bishop McQuaid had occasion to declare to Archbishop Corrigan, April 7, 1886:

> It is satisfactory to me to have Rev. Mr. Early's claim brought for adjudication before an ecclesiastical tribunal. There may be a little delay in getting the court into good working order. Early is the plaintiff against St. Patrick's Church Society, defendant. The *Defensor* in the case will, so I suppose, defend the interest of St. Patrick's Church Society. Who is he to be? Should he be lukewarm or adverse, St. Patrick's will fare badly. The Church will have a right to an ecclesiastical advocate, in which case I wish to name Rev. James F. O'Hare as one thoroughly cognizant with all the facts, clearheaded and trustworthy.
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> It will be required that Rev. Mr. Early present his claim on its merits in exact statement, and not simply that, having obtained a judgment through a civil tribunal, he has a right to his pound of flesh.
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> I expect the protection of the Church and on principles of justice, which will serve as a guide for others. If what Father Early claims is right and just, it will have to be equally right and just for all other such claimants, and will have to be law for other dioceses as well.
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> If Rev. Mr. Early should present his case by the 16th, it will not be possible for us to put in an answer until after Easter. Holy Week will keep us home. Besides, we shall need a few days for making a reply.[36]

Bishop McQuaid showed considerable anxiety about the procedure to be followed in the conduct of the case by the Metropolitan Court. No defence could be prepared before Father Early formally made known his claims to this court. Bishop McQuaid could only suspect the line of argument he will follow." However, one thing was very decidedly in his mind: "I will object to Rev. Mr. Lambert as advocate for Early or for any one against myself for valid reasons which I will give to you, should you wish to hear them."[37] He again intimated to Archbishop Corrigan on Easter Sunday what he regarded as the right method of procedure: "It strikes me that the right way for Early to proceed with his case is to present to the court his own complaint in regular form; to this, St. Patrick's Church, having received a copy, will reply, then the examination of witnesses and testimony will be in order. Without some such order in proceeding, we shall have only confusion and dissatisfaction."[38] He again betrayed his anxiety in his letter to Archbishop Corrigan, July 26, 1886:

> Father Early has been in Rochester working up his case all he can. He is dreadfully afraid of having it come before an ecclesiastical court on its merits. When it was before the Referee, we disputed nothing but the claim for interest. In the ecclesiastical court, St. Patrick's Church Society will demand full justice on his whole claim, disputing on valid grounds much of the principal.
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> One of his friends has stated that he had *carte blanche* to settle the whole affair any way he pleased. I can agree to nothing short of the removal of the case from the civil courts and the dropping of the claim for interest. Unless this be done, I shall demand the examination of his accounts from the beginning and the decision of the ultimate ecclesiastical tribunal. What such a tribunal decides as just and proper to be paid will be paid to the last cent.
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> An important principle is at stake, and it will have to be decided on grounds that will make law for the whole country.[39]

Bishop McQuaid felt strengthened in his position by the receipt of Rome's decision anent priests who have recourse to civil courts for settlement of their cases against ecclesiastics, either their equals or their superiors. While it was occasioned by the O'Sullivan case, Bishop McQuaid saw at once: "It will cover the case of Early vrs. St. Patrick's Church of Rochester. It turns out that his bishop is backing him up bravely. I have always felt that Bp. Ryan was at the bottom of my trouble, but others are beginning to see it as well."[40]

Nevertheless, the case moved slowly. Bishop McQuaid wrote Archbishop Corrigan, March 5, 1887: "Father O'Hare and myself are busy answering Dr. Burtsell's strange plea in favor of Rev. Mr. Early. Our answer will be forwarded to Mgr. Preston next week."[41] Mgr. Preston of New York City had been appointed the judge of the case in the Metropolitan Court. His decision proved quite satisfactory to Bishop McQuaid, who expressed himself, accordingly, in his letter to Archbishop Corrigan, November 6, 1887:

> I have heard nothing from Early in relation to his affair. He will be very unwilling to accept Mgr. Preston's decision. It is, however, the only one that will stand in Rome. He will hardly dare to bring his case before an ecclesiastical tribunal on its merits. We are anxious to get him there. The forbearance shown him before the civil court will not follow him into the ecclesiastical court.
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> * * * * *
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> Yesterday, Father O'Hare received Mgr. Preston's decision. Now let them carry it to Rome, if they wish to do so. We can meet them there. Early does not intend to let the case come before the ecclesiastical tribunal on its merits. He knows that he will get an exposure he does not court. He was quite sick this summer, and for a while expected to die. While at the worst, he sent for Burtsell to come to Hornesville.[42]

Bishop McQuaid had not long to wait to know the intentions of his opponent. Mgr. Preston soon informed him by letter "that Burtsell proposes to carry Early's case to Rome on appeal." Bishop McQuaid was quite ready for this turn of the affair: "All right, we will meet him there. I do not know what course will be followed at Rome. She may direct all the documents to be sent at once, or she may refer the case to some one else in this country for a hearing first before entertaining it herself." Bishop McQuaid had his eyes open at once "to secure a competent *avocato*" in Rome, while he remarked to Archbishop Corrigan: "You may know how Bp. Ryan feels, and as he is to be in Rome this winter, Early may expect him to interfere. He will do so if he sees a way."[43] There was no lack of contentment with the situation as described to Bishop Gilmour by Bishop McQuaid, December 6, 1887:

> Within three weeks the Metropolitan has given his decision in the Early case, requiring him, as a preliminary to entering the case before an ecclesiastical court, to remove it from the civil courts

where it now is. Of course, this decision angers Burtsell, Early's advocate, and does not put Bp. Ryan in good humor, for Early's defeat is the Bishop's defeat. The saintly Bishop has backed up Early from the beginning. Burtsell has served notice of appeal. We will meet him in Rome and whip him there. The coolest bit of effrontery I have heard of in a long while was Burtsell's offer to translate the *material* portions of our plea for us to send to Rome. We replied that the case would be sent to Rome in its entirety, accurately translated by ourselves. Early and Burtsell are very anxious to get the case in Rome, while Bp. Ryan is still there. The silly geese imagine that his direct interference will help them. Rome can see through such petty tricks. Burtsell and Early get such a raking in the Church's presentation of the case that no wonder they only want selections of their own choosing to go forward. We show how little respect Burtsell has for his own Ordinary. We blame Bishop Ryan for dereliction of duty in permitting the case to go into the civil courts.[44]

Now various rumors arose in regard to the McGlynn case. Bishop McQuaid informed Archbishop Corrigan, January 4, 1888: "A curious story is circulating these days. It comes from the diocese of Buffalo. According to it, Burtsell is going to Rome to plead Early's case *ab initio*." When Bishop McQuaid heard the tale, he remarked: "Perhaps Burtsell is summoned to Rome to defend himself and others implicated in the McGlynn business." He himself had no doubt but that "Bp. Ryan, Burtsell, and Early will do their best to annoy me. But I am not afraid of them. The more they talk, the more they put their foot in it."[45] Some days later Bishop McQuaid returned to the subject, outlining the policy for Archbishop Corrigan to pursue towards Burtsell in this matter: "Your right course would be, in case Burtsell asked permission to go to Rome, not having been called thereto by Rome, to say, Yes, provided Rome wishes it. Write, therefore to Rome, giving your reasons why you wish to go, and, if Rome decides that they are valid, it will give me pleasure, etc. This is what I did in the Lambert case."[46] Bishop McQuaid informed Archbishop Corrigan more fully of his knowledge of the affair, January 14, 1888:

Since writing my previous letter, I have talked with Father Stewart about Burtsell's trip to Rome. His informant is a priest of Buffalo diocese, who saw Burtsell's letter offering to go to Rome and fight Early's case. Early's reply was that he would gladly pay all expenses.

It may be that Burtsell is waiting to get all the papers ready, and then he will ask for permission to go.

I also learn that Early has made a will leaving what he is worth to Bp. Ryan on condition that the Bishop fights this case in Rome to the end. This is a large inducement for a bishop, but what a frame of mind to let a dying man be in? Early, you probably know, has an incurable disease and will die in a year or two. The unfortunate man's hatred of me is something hellish.

Should Burtsell go to Rome, I will send Father O'Hare to defend my side. He is very able, and is perfectly familiar with the case.

It is a long while since I heard from Via Mercede. It is likely she has nothing definite to say and is waiting for news. Bp. Ryan took with him an Italian priest who obtained a loan from Early of $8000 on his church property. He can do the translating for the Bishop. I would have a small chance, if I had not the law and right on my side.[47]

About this time, Burtsell discredited himself somewhat more in the eyes of the Roman authorities. Bishop McQuaid referred to the matter in writing Archbishop Corrigan, March 2, 1888: "Burtsell's pamphlet may well startle them in Rome, but the mischief came from Rome. When Rome encouraged every malcontent, no matter how unworthy, is it any wonder that Bishops were snubbed and defied? Rome regarded us as despots, ignorant of Canon Law, whimsical, etc., etc., while all virtues were found in the oppressed clergy."[48] When Bishop McQuaid heard from Rome that "Early's case has not come before them in Rome so far," he remarked dryly: "It cannot until the documents are sent them. Our translator has been quite sick, but he is nearly through with his work." He had already informed Archbishop Corrigan at the beginning of the year: "The Early case is being prepared as fast as possible, but a hundred pages folio are not translated in a day."[49] When he, finally, wrote directly to Cardinal Simeoni, Prefect of Propaganda, June 6, 1888, he put the issues involved clearly:

We maintain that his present claim is entirely unjust, and, furthermore, that some of the money paid to him should be returned to the Church. Only an ecclesiastical trial can determine the dispute between St. Patrick's Church Society and Rev. Mr. Early. This trial the Church is anxious to have; but Rev. Mr. Early is equally anxious not to have it. The Church has already paid him more than seventy thousand lire. It must be remembered that this money and much more came to him from the sacred ministry, and none of it by inheritance or patrimony. When he left the Church, of which he was rector and treasurer, he was rich, very rich, and

the Church, which he administered, poor, very poor, almost bankrupt. While he could not pay current expenses, he yet every year increased the debt up to more than three hundred and fifty thousand lire; but his successor in seven years maintained the Cathedral and schools in admirable order, and paid off the entire indebtedness left by Early.

We now ask the Propaganda that this case shall come before the proper ecclesiastical tribunals for adjudication, and, as preliminary thereto, that Rev. Mr. Early shall be directed to remove his case entirely from the civil courts.

Should this not be done, I shall be obliged to have the case re-opened in the civil courts to set aside the unjust decision of Judge Gardiner.

An adverse decision by the Propaganda would open the door to other ecclesiastical litigants, and re-introduce the custom of appealing to civil courts by ecclesiastics in ecclesiastical causes.[50]

Bishop McQuaid had threatened before "that, if the 'Combine' in Rome made any attempt to injure me or meddle seriously with my affairs, the first steamer would have me as a passenger. I do not propose to have any behind-the-door business when I am concerned."[51] The fall of 1888 did find him in Rome mainly to attend to another case, but incidentally also to the Early case. He was glad to be able to write Archbishop Corrigan, December 20, 1888: "Early's case is as good as settled. The last documents left no room for doubt. In a few days, Miss Edes will have all translated, and the Propaganda will direct Early to remove his case from the civil calendar. The Propaganda will also either determine the interest question or tell Early to go to an ecclesiastical court to prove his right to it."[52] Nevertheless, Burtsell informed Father Lambert, January 18, 1889: "I wrote to Canon Menghini on Tuesday last about Early's case, which he says they wish to pidgeon-hole. All Early needs is to have the Metropolitan keep his hands off him, and let him execute the judgment of the civil court of 1875. He has no need of trying the case anymore in the civil court. The Metropolitan threatened to suspend him if he executed the judgment."[53] However, Bishop McQuaid announced to Archbishop Corrigan, January 22, 1889: "The Early case was settled according to my demand, viz.: that he should take his case out of the civil courts, and, if he has any demand to make for monies due, to enter an ecclesiastical court to prove his claim. This decision will be a bitter pill for Early and Burtsell to swallow."[54]

It did not prevent Father Early from drawing up his will at Hornesville with the following bequests, December 7, 1889: "To James Mooney of Buffalo, New York, as trustee I give and bequeath the judgment that stands in my favor against St. Patrick's Cathedral of Rochester, and from the proceeds thereof I hereby direct him to pay as follows: To St. Patrick's Cathedral, Rochester, N. Y., Five Thousand dollars ($5000). The balance he shall divide and pay as follows: One fourth of said balance to St. Francis Home, Pine St., Buffalo, N. Y.; One fourth of said balance to the Sisters of Mercy on South St., Rochester, N. Y.; One fourth of said balance to the Providence Insane Asylum, Buffalo, N. Y., and the remaining one fourth to the House of the Good Shepherd on Best St., Buffalo, N. Y."[55] Two months later, February 10, 1890, Father Early wrote out the following statement: "I, the undersigned, do hereby discharge the judgment I hold against St. Patrick's Church Society of Rochester, N. Y., and leave it entirely to the will and honesty of the officials of said church society to pay the institutions named in my will and testament the sums named." After Father Early signed the document, he sealed it up in an envelope, upon which he wrote the direction to his Sister, Catherine Monaghan, to open it after death. Two days before it he told her: "There is a letter in that drawer addressed to you; after my death see to it or attend to it." Father Early died February 16, 1890. His sister Catherine gave the letter to Reverend M. V. Gleason on the day of the funeral.[56] Bishop McQuaid at last obtained possession of the document, as he informed Archbishop Corrigan, April 14: "The Early judgment against St. Patrick's Church Society has finally been discharged. Father Early, a few days before his death, wrote out a discharge. This paper was held in the Buffalo diocese on the plea that it was of no use. I heard of it only by rumor. Two weeks ago I sent a lawyer to get possession of it. It was handed over without difficulty, but if, in the meantime, the witness to its signing had died, the paper would have been valueless. All has been put in proper legal form and is properly recorded. The whole transaction has had a curious history. One great source of scandal has at last dried up, for which all good Christians can be thankful."[57] It was, however, only, January 31, 1891, that Father Early's Sister

signed her name to the letter as a subscribing witness, that she swore before a notary public that she saw Father Early sign and deliver the document. The judgment given in the Supreme Court to Father Early, August 24, 1876, for the sum of $15,068.49 against St. Patrick's Church Society of Rochester was discharged, August 4, 1891, by order of the Supreme Court on the strength of Father Early's deathbed letter signed later as a witness by his Sister. The Supreme Court also denied the motion of James M. Welch, temporary administrator of the estate of James M. Early, for an order cancelling the record of the satisfaction of judgment. However, when the case was re-opened towards the end of 1894, the Court held that a witness, who sees execution of a writing, but does not sign it during the life-time of the executor, is not a competent witness within the law to prove satisfaction of judgment after death. The Court, therefore, decided that "the order appealed from should be reversed, and the motion to set aside the satisfaction of judgment and cancel the record of satisfaction thereof should be granted, with ten dollars costs and disbursements."[58] The decision had no practical effect.

Chapter XXVIII

SECRET SOCIETIES

The Third Plenary Council of Baltimore decreed that the Archbishops of the United States shall be a standing committee to settle the question whether any society is to be condemned or not. The decree looks to be much more innocent than it was in reality, if we believe later revelations of Bishop McQuaid. He wrote Archbishop Corrigan, March 15, 1886:

> The Council very peremptorily declined to act in the matter under the suggestion of the Archbishops of Philadelphia, Chicago, St. Louis, and San Francisco, relegating the whole question to a committee composed of the Archbishops of the country. Without their united action, as I understand the decision of the Council, nothing could be done. It is the *reserved privilege* of the Archbishops, not individually, but in concert and as a body to examine and decide on this question of the lawfulness or unlawfulness of the A. O. H. Your action as Archbishop would in your diocese be the same as mine in my diocese and no more. The united action of the Archbishops would be a rule for the whole country. I sought the assistance of the Council in putting an end to diversity of conduct on the part of bishops towards the A. O. H. The Council chose in preference to bury the business where I am inclined to think it will be buried.
>
> The Archbishop of Philadelphia partially reversed the action of his predecessor, an ungracious act under the circumstances, but his regulation does not bind any one else.
>
> Archbishops Hughes and McCloskey disapproved of the Order and would lend it no countenance. The Order is affiliated with a foreign secret Order of a dangerous character. You will have to make sure that there is real and complete severance between the two,—the one in this country and the other in Europe. Be careful. You are not obliged to move, as the Council relegated the matter to the *whole body* of Archbishops.[1]

Archbishop Corrigan had, in fact, determined to take up the matter to bring it to a satisfactory settlement. He, therefore, asked Bishop McQuaid for a copy of the questions prepared by the latter, with the emendations and additions of Bishop Gilmour. The document sent to the Archbishop of

New York contained "some points of information to be obtained from the A. O. H. by the Committee of Archbishops appointed by the Council before rendering a decision that the members of said Order are not to be disturbed." The questions explain themselves:

1. Are you, gentlemen, members of this Order, competent and empowered from your rank in the Order and from your knowledge of its Constitution and workings to give accurate and full information to this Committee of Bishops of all facts necessary to guide us in forming a correct judgment?
2. Are you bound by oath or word of honor to withhold, even from legitimate ecclesiastical authority, information with regard to your Order, which said authority may feel authorized to ask?
3. Has your Order two Constitutions or two Rituals: one for general information of the members and another, printed or written or oral, for the upper or more restricted membership of the Order?
4. Is the A. O. H., in these United States, an independent organization, or are they directed by or owe allegiance to any other organization, existing in some place or country outside of the United States?
5. Is the A. O. H. affiliated to other organizations, such as the Mollie Maguires, Ribbonmen, Clan-na-gaels, etc., or is the A. O. H. so associated with the above-named societies that it is bound or influenced to their spirit, actions and plans?
6. Is there any obligation in the Order binding its members to carry out its commands, even when said commands are in conflict with God's law and condemned by the Catholic Church as immoral?
7. Have the A. O. H. anything to do with politics, home or foreign?
8. From whom do the A. O. H. get their passwords and what is the power of this foreign directory?
9. Have the A. O. H. any other object for existence than Benevolence?
10. In what consists the secrecy, and for what object is there the mystery that surrounds the A. O. H.?[2]

Archbishop Corrigan thus hoped to accomplish what Bishop McQuaid thought "the Baltimore Council might have settled promptly and honorably in a short time, had not its proposed action been hindered by the amazing speech of the Archbishop of Chicago. The fact is this speech was a prepared one, by which we were to be blocked in a supposed pre-arrangement for the condemnation of the Hibernians. Neither he nor the majority of the Council caught the purport of the questions. The fact is the questions were meant

as a protection to the Council, should there be deception on the part of the A. O. H., not for their condemnation in case these questions could be satisfactorily answered."[3] When these questions were put by Archbishop Corrigan, March 23, 1886, to the State Secretary, Michael S. Flynn, he answered all of them satisfactorily. Bishop McQuaid, therefore, wrote Bishop Gilmour, March 26, 1886:

> After treating contemptuously our attempt during the Baltimore Council to arrive at some conclusion with regard to the A. O. H., the Archbishops, after a long delay and neglect of obligation they assumed when they took the question out of the control of the Council, are now doing exactly what we proposed to do.
>
> Archbp. Corrigan lately wrote to me for a copy of the questions prepared by you and me for submission to properly authorized agents or officials of the A. O. H.
>
> He has placed these questions before such officials and has received satisfactory answers. He intends to have these questions and answers printed and placed before the Archbishops of the U. S., for their consideration and action, an individual Archbishop having no more right to render a decision than an individual bishop in his diocese, although the Archbishop of Philadelphia did reverse the action of his predecessor without consultation with other Archbishops. The good man seemed to think that the *Arch* made him something more than a bishop.
>
> I wrote to Archbishop Corrigan requesting him to submit the questions and answers to you before sending them to the printer. You might anticipate a point of danger and note a loop hole of escape, not noticed by another. I also stated that it was all important to widen as much as possible the division between the two sections of the A. O. H. They have split up into two sections; one good, the other bad and to be condemned. The farther apart we get them the better. By standing by the good one, we drive off the others.[4]

Bishop McQuaid himself thought the answers satisfactory, but he hoped that Bishop Gilmour "might advise something by which the break between the two parties in the order might be widened, and the separation be kept complete..... The history of the break, which took place at Cleveland, and which, if I am not mistaken, was followed out at some other convention of a later date, should be given in the same document to show the distinction between the brand in harmony with the Church and the other affiliated with the unknown body in Europe." Nevertheless, Bishop McQuaid was not ready to abandon all caution in their regard, and so he con-

cluded: "While the exclusion from the sacraments ought to cease, it does not follow that the A. O. H. should be recognized as a Church society with the privileges usually accorded to Church societies."[5] When Archbishop Corrigan sent the answers, received from the A. O. H., to Bishop Gilmour, he informed the latter: "The Delegates assure me that they have taken your advice and broken loose from the 'Board of Erin'."[6] After a careful examination, the Bishop of Cleveland also expressed his satisfaction with the answers of the A. O. H.

> If now they will accept a chaplain or ecclesiastical director for their central & ruling Council, I think they might & should be dealt with. This the more, as the Clan-na-gael element is separated from the better part of the organization. This latter should, & I think could be more judiciously managed by a kind and able Director, but he should be more strictly loyal to the Church, & who would not let false issues or nationalism influence his acts. If now we can only get the archbishops to push the matter as it should be, something will be done. A clear, distinct answer has been given, & a clear desire to conform to proper & judicious guidance given. It is for the archbishops and Bps. now to speak.
>
> I will write the Archbp. of it in a few days in the light of the above.
>
> I may add, this Clan-na-gael wing met its first fair defeat here in Cleveland, when A. Sullivan was so woefully wiped out by the loyal members of the society. I have thought better of the order since that, & now believe they can be brought into Catholic lines, a thing very much to be worked for by all of us. They are too valuable a body to be rudely dealt with. Better prune than cut off.[7]

Bishop Gilmour made some suggestion in regard to the Clan-Na-Gael, which Bishop McQuaid thought a good one to be followed out. The latter then added: "I don't see that we can ask more of the A. O. H., than has been asked, and, if its officials have lied to us, the deception will come out before long, and then it will be easy to condemn them. It might be well to put in a clause, obliging the A. O. H. to abide by any decision which the Holy See at any future time might judge proper to render."[8] Nevertheless, the question was still pending, when Bishop Gilmour wrote Cardinal Gibbons the following letter, October 16, 1886:

> I send you enclosed a large number of documents concerning the A. O. H. You will see, some are answers to & explanations of answers given to questions proposed by the late council. Others are newspaper cuttings, and a statement made to us in writing &

confirmed by word of mouth by a person fully acquainted with the workings of the society, but who, for the moment, prefers to be silently unseen. If need be, he can be easily got.

You will see by the paper enclosed who are the national delegates & other officers. Mr. Flynn is now not secretary, and at best was only State Secretary of New York. One thing is certain, there is a split among the A. O. H. One part professes to separate from the Board of Erin. The New York part says they will not. The others have been twice cut off and are just now cut off by the Board of Erin. Clearly the Board of Erin is either a great farce or a great power, & I see no way of determining the Status of the A. O. H. till the Status of the Board of Erin is distinctly known.

I suggest that the National Delegates.....be called to Baltimore for the meeting of the Archbishops & there interrogated. Let the New York State Delegates be also called. These latter should be present or at least interrogated, as they are firmly for the Board of Erin, & between them and the National Delegates there is fierce war.....[9]

As early as January 18, 1885, Bishop Gilmour had pointed out to Archbishop Gibbons the necessity of centering inquiry upon this Board of Erin, apparently with the expectation that the standing committee of Archbishops on secret societies would busy itself with the question left undecided in the Council. He sent him "the *Commercial,* in which it is stated the A. O. H. are mixed with the Clan-na-gael & Feenianism. How true this may be, I do not know, nor where to place them, the more as I learn 'The Board of Erin' was the suspending power of the late President & elected at the convention here last summer." Bishop Gilmour had, therefore, suggested the following question: "Who is this 'Board of Erin' & what is its power that it can so potently step to the front?"[10] Despite the efforts of Archbishop Corrigan and the co-operation of Bishops McQuaid and Gilmour, no decisive action was apparently taken by the body of Archbishops in 1886. In fact, favor was even shown towards one who had been denounced as a leading spirit in the section of the society meriting condemnation. Bishop McQuaid wrote Bishop Gilmour of this fact, January 31, 1887:

It will be very edifying reading in Rome to go over the accounts of the newspapers of Davitt's dinner in the house of Alexander Sullivan, who shot the man in Chicago, graced by the presence of Archbishop Feehan; of Davitt's pleasant hour's chat with his Eminence of Baltimore as duly recorded; then the full account of

Davitt's speech in Madison Square Garden, in which he gave utterance to the wildest revolutionary and communistic doctrine, and the vilest abuse of Cardinal Simeoni directly and of Leo XIII indirectly.

Few men, dear Friend, have the courage to stand up for principle at the sacrifice of popularity.[11]

When the *New York Times* later wrote up Alexander Sullivan's career, it told of his shooting of Francis Hanford. This man had been Assistant Superintendent of Schools in Chicago. When he was reduced to the position of principal of a North Side Schoolhouse, he denounced, in a letter to an alderman, Mrs. Sullivan as "the instigator and engineer-in-chief of all deviltry connected with the board." The letter was read in the Common Council in the afternoon, August 7, 1876, and in the evening Alexander Sullivan drove, with his wife, to Hanford's house, of whom he demanded a retractation. On the latter's refusal, Sullivan knocked him down, and as Hanford rose, Sullivan shot him in the abdomen. Hanford died in a few minutes. The Jury disagreed at the first trial, and Sullivan was acquitted at the second trial. Clanna-gael influence was freely credited with the results of these trials. The same influence was also made responsible for Sullivan's election in 1883 as President of the American Irish Land League.[12] Egan, who was the outgoing president in the Convention at Chicago, August 18-19, 1886, was then said to be of the same strype. The condition of affairs within the National League was well understood at Rochester. There as elsewhere an Irish National Club for Irish Independence made its appearance alongside of the regular National League organization by holding a picnic at Maple Grove July 28, 1886. Bishop McQuaid knew of the existence of this secret society before this, but now he had proof that it was taking on new life and spreading in the city and county. A Rochester paper of August 2, 1886, published some Chicago correspondence giving information in the matter that he knew to be substantially correct from other and private sources. Convinced that many new members were being grossly deluded by the more cunning officials of the society, and so were being led astray to their spiritual damage, he did his duty by denouncing, at the High Mass in the Cathedral, August 8, 1886, these societies that were known as branches of the

Fenian organization under various names such as the Clanna-Gael, etc., all affiliated with the Irish Republican Brotherhood:

> The principles of these societies are destructive of society and good government, and they are damnable in their methods. I have in my possession the constitution and the ritual of one of these organizations, said to be the mildest in character and the least revolutionary: yet the oath taken by its members is one which no Christian and no good citizen could lawfully take. The principle asserted by some members of these organizations that the end justifies the means is horrible and deserving only of the strongest condemnation. The same principle would justify the doings of the anarchists of Chicago, of whose diabolical proceedings we read so much in the daily papers. The anarchists of Chicago claimed to work for the social and national welfare of the masses of the people by the destruction of constituted government and the slaughtering of masses of people in the most brutal and cowardly manner. The Irish Republican Brotherhood, which caused the Phoenix park assassinations, claims also the right to establish a republic in Ireland without regard to methods or means. It also seeks to justify murder as a means to an end.
>
> Just as at the time of the Phoenix park assassinations, the just cause of Ireland was greatly set back by these desperate and wicked crimes, so today when all is promising fairly for the future prosperity of Ireland, when her children are winning friends among the right-minded and liberal in every quarter of the world—when her long years of oppression seem to be drawing to a close—the machinations of those secret societies threaten again to retard the progress of Ireland toward self-government. My own love for Ireland and her sacred cause, is as deep and far reaching as is that of any one else in America. But I cannot demand for Ireland and her sacred cause more than her own bishops, priests, and people demand. What they want I want. They loathe and detest these secret organizations, which destroy manhood, demoralize the people, and drive off multitudes of true friends who wish to help the holy cause. Only within a few days the statesmanlike leader of the Irish parliamentary party, in a letter worthy of him, of the people whom he heads, and of the cause he advocates, protested strongly and determinedly against the action of these secret societies, of which he had never been a member, whose assistance he disavowed, as well as all and any affiliation with them. No Catholic can be a member of one of these societies affiliated with the Irish Republican Brotherhood, no matter by what local name known among themselves. Their principles and methods inculcate murder and assassination. When a Catholic joins such a society, he thereby cuts himself off from all membership in his church. Such is the nature and force of the oath taken by the members of this brotherhood that

once taken it requires extraordinary courage to disregard its criminal injunctions. We know by experience that Catholics who enter such societies lose faith and religion. 'Tis a duty therefore, to guard and warn in time the unwary and innocent.

Mr. William Purcell, the Editor of the *Union and Advertiser*, the next day took occasion to plainly state the condition of affairs. He now admitted that during the entire existence of the Land League and of its successor, the National League, "there has been in the local and general Leagues an element, comparatively insignificant in number, but powerful through secret concert of action, that has never for one moment been in sympathy with the organization and peaceful agitation led by Mr. Parnell; that is in favor of foolish violence; that has exulted when the most cruel and cowardly crimes of murder have been committed; that has been in the Leagues simply to try and get control of them and run them; and that dare not openly own what it covertly seeks." This led Mr. Purcell to put the issue very plainly that confronted the imminent Chicago Convention of the Irish National League:

Now, one of two things will occur at Chicago: either the representatives of the vast majority, who have by their influence and their money made the Leagues, local and general, the auxiliaries they have been and are of the Parnell organization in Ireland, will obtain control and continue the movement in its proper channel, free from all personal, and political, and red-handed manipulation; or, the agents of the destructive element will secure control and cause such a withdrawal of the honest and unselfish membership as to destroy the organization in its present form and cause the creation of a new one with the destructive element eliminated. If the present organization of the National League in this country is to continue, there must be no mistake made in shaping its utterances, the officers must be men whose records and characters will give the most positive and ample security that they are sincere believers in the peaceful methods of Parnell and uncompromising opponents of violence in any form. Circumstances have formed the issue sharp and plain.

The address made in St. Patricks Cathedral of this city by Bishop McQuaid yesterday clearly indicates the attitude the Catholic Church will maintain, should the destructive element obtain the upper hand at Chicago. And in this matter, the Protestant Church, the American people not of Irish race, the American people of the Irish race as a body, and the American press, will take a similar stand. The good people in this country will not permit a comparatively few bad people to ride a great cause of humanity and free

> government to death, either to serve personal or political ends, or to carry quixotic notions of attaining results by bloody violence to their explosion. The good men of the American National League must hold sway at Chicago, or, in case of failure, they must organize anew and shake off the destructive element.

The unexpected happened at the Chicago Convention. Although the Sullivan-Egan faction controlled the Convention and elected their candidate as President, Mr. John Fitzgerald of Lincoln, Nebraska, these radicals had themselves to conform to the demands of the great conservative majority in the formulation of the platform without any regard to what Mr. Alexander Sullivan termed the "suppressed aspirations and feelings" of himself and associates. The Rochester delegates to the Convention, Mr. William Purcell, who now thought the administration or machine a small thing in the Irish National League as it was organized in the United States, yet was certain of one thing: "Unless President Fitzgerald successfully asserts himself in relieving the administration of the suspicions that now hang upon it, and in presenting it, when he calls another convention, without the antagonism, to which the unselfish and the patriotic were invited upon their arrival in Chicago last week, he will find that the men, who have furnished the moral and material support to Mr. Parnell and his cause, will not respond and will not allow themselves again to figure as the tail of the kite of any administration, or again to elect, at a disadvantage, men who are united in secret society conspiracy and who work under cover with secret society methods and weapons."[13] Evil associations were again threatening to compromise the Irish movement in the United States, and Michael Davitt's attack on Rome, together with his advocacy of Henry George's denial of property in land, made matters still worse. The curse was not taken off all this by the countenance given to such men as Alexander Sullivan and Michael Davitt by Archbishop Feehan and Cardinal Gibbons. Bishop McQuaid must have read the following letter with great satisfaction in his copy of the *Weekly Register*, January 29, 1887. It was written from Rome by Mr. Wilfrid Scawen Blunt to Mr. Hurlbert, January 18, 1887:

> The relations of Ireland with the Vatican are a matter of such immense importance at the present moment, that I feel sure you

will be glad to learn from an authentic source what is their true nature.

It is hardly four years since, under a misapprehension of the real circumstances of the case, the famous letter to the Irish bishops, familiarly known as "de Parnellio," was issued from the Propaganda; but already a complete change in the views and policy of the Vatican has been effected in regard to Ireland. At that time, May, 1883, it had been represented to the Pope that Mr. Parnell and his Parliamentary party were members of a secret and revolutionary society analogous to those existing on the Continent; and, acting on this intelligence the bishops were warned against according him their support or countenancing the subscriptions raised for his testimonial. Dr. Croke, the Archbishop of Cashel, was then in Rome, and in an audience he had at the Vatican, received from His Holiness an admonition so strong that, without venturing explanations, he left Rome forthwith, saying simply that "as a bishop he knew how to listen and obey." The letter was issued the same week, and, as you will not have forgotten, caused consternation in Ireland, almost revolt. It is certain that on account of it, thousands of Irish Catholics throughout the world neglected for awhile the practice of their religion, and so grave did the situation become that it seemed to some there was danger of a general falling away of Irishmen from the Faith. Fortunately, however, the letter was no binding pronouncement. It was neither a Papal Bull nor an Encyclical Brief; and, as it turned out, it was the means, under Providence, of a better apprehension at Rome of the facts of the Irish case.

A searching enquiry was now made by the Pope in person, and each bishop in Ireland was called in turn to Rome and invited to give his opinion to his Holiness in private conference. Dr. Croke's patience in his first audience was now amply rewarded by his having an opportunity of explaining at length the whole land quarrel which lay at the root of Ireland's misfortunes. "What would your Holiness say," asked Dr. Croke, "if a poor peasant of the Romagna were to hire for a few scudi a barren rock in the Apennines, and were to enclose it with a wall and plant it with a vineyard and build on it a house, and if when the vines began to bear fruit the lord of the soil were at once to raise the rent to the full value of the improvements made, and if on failure to pay, the poor peasant were to be turned out and his labor confiscated?" "I should call it," said the Pope, "a robbery." To which the Archbishop answered: "That, Holy Father, has been the whole history of the land quarrel for generations in Ireland." A stronger argument, however, lay reserved in Dr. Croke's quiver, and he came to Rome provided with a full list of communicants in the various parishes of his diocese. When he showed this to the Pope, and was able statistically to prove that 94 percent of his adult flock were practising Catholics, while churches had been built and schools opened, and when similar

statistics flowed in from every part of Ireland, the scales fell from the eyes of those who had opposed the bishops most strongly at the Vatican. The doctrine is nowhere recognized more clearly than at Rome that the tree is known by its fruits; and the Irish bishops returned homewards triumphant; nor has it been possible since for any adverse influence to shake the Pope's perfect confidence in the loyal zeal of the Irish clergy and the innate justice of the Irish cause.

In truth, the Church has no more powerful body anywhere of workers in the cause of religion than the Irish priesthood. Not in Ireland alone, but in every land, Irish missionaries are to be found, irreproachable in their moral lives, undoubted in their loyalty to the Holy See, and inexhaustible in their zeal. The Irish religious orders in Rome are models of discipline and piety. The contributions from Irish sources to the Peter's Pence are large, out of all proportion to the scanty numbers and poverty of the populations which send them; and beyond all doubt Ireland in these late days has come to be looked upon once more in Rome as a model and an example of a devout Christian land.

When, therefore, English logic assays to convince the Vatican still that the National League is a lawless conspiracy and the Plan of Campaign a breach of the Ten Commandments, the Vatican is wiser than to pay it any great attention. Leo XIII is intellectually and spiritually far in advance of his generation, and he is esteemed by some the most sagacious Pontiff that has occupied the Papal chair since Pius VII. He is, moreover, profoundly sensible of his personal responsibility in all important decisions; and he is conscious that in the matter of Ireland he was once for a time misled, and that his present mature judgment is based upon a knowledge of facts gained personally from sources at last reliable. Nothing in the world is less likely than that he will go back upon the decision he has come to, or that his warm sympathy for the Irish cause will suffer any change. As to formal censures launched against Dr. Walsh, Irishmen need not trouble themselves to fear them. The Archbishop of Dublin stands in the highest repute at Rome as a theologian, a man of piety and a prelate of unexampled activity. He will be trusted implicitly to understand and perform the whole of his episcopal duties.

One word in conclusion about the general question of social order in Ireland. It seems to be imagined in some quarters that it is a tradition of the Papal See to support all existing things merely because they exist, and especially the privileges of the rich and noble as against the poor and the undistinguished. This is altogether a mistake. The Catholic Church has always to a certain extent been a leveller of social pretensions; and decidedly the history of the Pontifical States is not one suggestive of close conservatism. The Popes were among the first to curtail feudal privileges, and the later Pontiffs were bitterly complained of at times by the

Roman nobility as supporting the peasantry too strongly against them. Landlords, therefore, in Ireland need not expect that the mere fact of their being landlords will secure for them any special regard at the Vatican. They will be weighed in the judgment of Rome strictly according to the measure of their performance of their many duties, and where these shall be shown to have been neglected, their disappearance will excite little regret. The principle of authority doubtless lies at the root of all Church teaching, but it is the authority of religion and the moral law, not that of legal privileges abused. I conceive that the Church's ideal of a political society would be something not very unlike democracy controlled by religion; and where is this more likely to be realized at the present day than in Ireland under Home Rule?

The Plan of Campaign had been devised to meet a new land crisis in Ireland, for which Parliament, with the Unionist majority returned in the general election of 1886, refused the remedy. Mr. Parnell had introduced, September 10, 1886, a Bill for the Temporary Relief of Tenants in Ireland, "having regard to the great depression in the prices of agricultural produce since the greater number of the judicial rents of tenants in Ireland." The Bill also provided "for the admission of certain leaseholders to the benefits of the provisions of the Land Act in 1881."[14] The whole measure was rejected on the second reading. As soon as Parliament was prorogued, Mr. Parnell cabled the following message to Mr. Fitzgerald, the President of the Irish National League in America:

The rejection of the Tenants' Relief Bill, the scarcely veiled threats of the Irish Secretary, and the alarming increase in the number of evictions, clearly indicate the commencement of a combined movement of extermination against the tenant farmers of Ireland by the English Government and the Irish landlords. I lose no time in advising you of the imminence of a crisis and peril which has seldom been equalled, even in the troubled history of Ireland. I know that it will be the highest duty and the most honorable task which can gain the attention of my countrymen in free America to do what in them lies to frustrate the attempts of those who would assassinate our nation, and to alleviate the sufferings of those who unhappily must be the numerous victims of the social war which has been preached by the powerful and rich Government of England against our people. In sending us that moral and material assistance which has never been wanting, never been stinted from your side of the Atlantic, you will perform two most important and valuable functions—you will encourage the weak to resist and bear oppression, you will also lessen and alleviate these feelings of

despair in the minds of the evicted which have so often and so unhappily stimulated these victims to a recourse to the wild justice of revenge. In doing so you will assist in preserving for our movement that peaceable character which has enabled it to win its most recent and almost crowning triumph, while you will strengthen it to bear oppression and encourage our people until the final goal of legislative independence has been won.[15]

As Mr. Parnell's honest and earnest attempt to prevent suffering and mischief by obtaining a suspension of evictions during the coming winter months had completely failed, Mr. John Dillon, chairman of the fortnightly meeting of the National League, September 28, 1886, announced the Plan of Campaign: "On every estate in Ireland the tenants must come together and make a demand on an honest basis—they must make no demand but what is just and reasonable—they must demand a reasonable and fair reduction, such a reduction as can be defended publicly. That demand will differ of course in different localities."[16] Mr. Dillon felt convinced that this open dealing with injustice would induce the rack-rented tenants in Ireland "to abandon the methods of secret conspiracies, by which, in the past, they endeavored to protect their lives and homes."[17] In fact, at the meeting itself, the Rev. James Cantwell, P. P., V. G., Ballingarry, warned the people against committing outrages on man or poor mute cattle, reminding them that no amount of injury by a cruel landlord could justify murder.[18] Although Archbishop Walsh of Dublin, on careful examination, saw nothing to condemn in this Plan of Campaign, Mr. Dillon was put under arrest, and the Plan of Campaign was finally proclaimed "an unlawful and criminal conspiracy" by the Chief Secretary.[19] This did not prevent its application to about forty estates with the acquiescence of the majority of the landlords. Whatever fears there were of Roman intervention at this time, Michael Davitt was brought to confess a mistake when sending his subscription to the Very Reverend Prior Glynn towards St. Patrick's National Church in Rome:

The Irish race has done more for the Catholic Church than all the other nations of Europe, and this quenchless national ambition of ours ought to have equal recognition with other Christian nationalities at the head-quarters of the Christian world. England, it is true, will not permit a representative from the Vatican to come to Ireland. But she cannot prevent Ireland from having a duly

recognized Irish representative in Rome. I look upon your efforts to erect a national church there as the initial step in effecting this great purpose, and I am sure that in proportion as it is viewed in this light by our people at home and abroad, will be the desire among them to help you in making your work a tribute worthy of the great saint whom it is meant to honor, and worthy also of the position which our country will yet occupy in the ranks of civilized nationhood.

In proportion as the influence of the Irish race is felt in the great labor movements of the English-speaking world, will be the efforts of our enemies to poison the ear of Rome against us; and it will be as much the interest of our people in America and the British Colonies as it is ours here at home to counteract this as far as possible in the only practical way in which it can be done. Men of Irish parentage are the chief inspiration of most of the advanced reform movements of the day. Compelled by the infamy of England's rule in Ireland to become "hewers of wood and drawers of water" at home and abroad, we are, both as a nation and a race, leading the righteous cause of labor in a giant contest against monopolies and privileges on both sides of the Atlantic. We must see to it that the ruling classes of England, representing as they do the heartless civilization of *laissez faire*, shall not misrepresent us at the center of the Spiritual Empire of the World, where we should be ambitious to be known and rightly understood as striving for a civilization of justice and humanity in conformity with the doctrines preached in the Sermon on the Mount. That great and good friend of Ireland and of humanity, Cardinal Manning, has recently said: "Hitherto the world has been governed by dynasties; henceforth the Holy See will have to deal with the people." As a people who are leading the way in the labor struggle of the English-speaking world, the Irish must either undertake to have their aims and objects rightly represented to the recognized Head of the Christian Church, or the task of misrepresenting us will again become an easy one for our enemies.

And now, in conclusion, though I am but too conscious at having written at immoderate length, I must trespass in a purely personal matter upon your attention. In my last lecture in the United States, on the occasion of my recent tour, I made some strictures, couched in very strong language, upon Cardinal Simeoni in connection with what I then fully believed to be his Eminence's hostility to the Land League cause in 1882, and to the part which I believed he had taken in the case of my friend, the Rev. Dr. McGlynn. I now learn, both from his Grace, the Archbishop of Dublin, and from yourself, that my observations were as unjust as they must consequently have been disrespectful, and I am heartily sorry for having uttered them. I learn both from his Grace and from other sources that my strictures were, in truth, unfounded, and that Cardinal Simeoni is and has been a warm sympathiser

with the Irish cause. This knowledge lends additional culpability to the heated words which I spoke in New York; and I will thank you, if on your return to Rome, you will express to Cardinal Simeoni my profound regret for having used such language.[20]

When Archbishop Walsh was interviewed by a representative of the *Pall Mall Gazette* towards the beginning of April, 1887, on "The Pope and the Irish Crisis," the English Government was again blundering into a belated concession of a Land Act that recognized the principle of Parnell's defeated Tenant's Relief Bill, but which was also poisoned by the permanent Coercion Bill that preceded it. The Archbishop took occasion to denounce the tactics of the *London Tablet* in deliberately suppressing information such as was given in the editorial columns of the *Moniteur de Rome.* Although this newspaper was not a Vatican organ, Leo XIII took a strong personal interest in it, and Archbishop Walsh was convinced that no line of policy would continue to be advocated in the *Moniteur* of which the Holy Father disapproved. It had endorsed the declared Home Rule policy of Mr. Gladstone "for the establishment by statute of a legislative body to sit in Dublin and to deal with Irish as distinguished from Imperial affairs." It had condemned most emphatically the Coercion policy of Lord Salisbury. When the Roman correspondent of the *Daily News* reported that a communication had been sent by Rome, expressing condemnation of the Home Rule movement and of the favor shown to it by the Archbishop of Dublin and some other prelates, Archbishop Walsh wrote the *Daily News* to contradict in the most ample form the fictitious dispatch. Not many days later another Roman correspondent pretended that, while the Pope himself had not written, as was correctly stated by the Archbishop, the letter had really come from Cardinal Simeoni or some other high official. This was absolutely false, as there had been no such letter at all. Nevertheless, more than one "Unionist" paper insisted that certain instructions had been sent from Rome for the guidance of the Irish clergy in political matters, which Archbishop Walsh boldly suppressed. The Archbishop branded these statements as "wilful and deliberate lies" that overshot the mark to the damage of the Unionist papers themselves: "Their policy of lying, though it may still impose upon many simple-minded people in England, and possibly

here, was laid bare in Rome by the daring venture of concocting those lies about letters and instructions sent to us from the Vatican and Propaganda. Every one of these lies has come under the direct personal observation of the Sovereign Pontiff himself. Our unscrupulous opponents have by their folly succeeded in thoroughly and irretrievably discrediting themselves at Rome. It was stupid of them, indeed, not to have seen that this was the inevitable result."[21] While intrigue was defeated for the time being at Rome, the Irish Hierarchy did all in their power to strengthen the cause of justice at home against the tyranny of the English Government. In the April meeting at Maynooth, Archbishop Walsh of Dublin and Bishop Woodlock of Ardagh and Clonmacnoise, in the name of all the Irish prelates, signed the following resolutions:

> That, after the transaction of the ecclesiastical business for which we have met, we cannot separate without protesting, in union with our venerated brothers of the clergy of Ireland, against the Coercion Bill, which on Monday last obtained a second reading in the House of Commons.
>
> That, in common with our lay fellow-countrymen, we view with deep indignation this new attempt to despoil our country of her constitutional rights and liberties, and to place her at the mercy of unfriendly and irresponsible Government officials.
>
> That speaking with intimate knowledge of our respective dioceses and provinces, we confidently assert that, with the deplorable exception of a few notorious districts of very limited extent, Ireland is singularly free, not only from grave crime and outrage, but from ordinary offences against the law; and in this assertion we are fully sustained by the charges delivered at the recent assizes of Her Majesty's judges.
>
> That, therefore, we feel called upon to characterize as utterly unfounded the accusation of general lawlessness and criminality constantly made against our people and systematically propagated for party purposes by the anti-Irish Press of both England and Ireland.
>
> That the demand now made by Her Majesty's Government for coercive legislation for Ireland is therefore utterly unsustained by facts, and should consequently be rejected as causeless and unjustifiable.
>
> That in our deliberate judgment the employment of the contemplated coercive enactments will not only fail to check crime and outrage within the limited area where they now exist, but will provoke opposition to law where peace and order hitherto prevailed; that they will merely "drive discontent under the surface," and

substitute for open and constitutional action the disastrous agency of secret societies.

That the distrust and hostility inspired by coercion will extend more or less to all legislation emanating from the same source; that those feelings will still further embitter the relations between the coercing landlord class and their tenants, and render impracticable those calm and kindly negotiations, without which there can be no speedy or satisfactory settlement of the land question on the basis of purchase.

That, ardently as our people desire such a settlement, they cannot help regarding with suspicion and disfavor the promised reform of the Land Laws, which is to be accompanied, or possibly preceded, by coercive legislation of such excessive severity.

That still further doubt respecting the land measures of the Government is created by the hesitancy, if not unwillingness of Ministers to adopt the recommendations so strongly made by the recent Royal Land Commission of their own selection.

That it is not by County Insolvency Courts, but by the reduction of rents, regulated by the value of land produce, a reduction which the Royal Land Commission has declared to be of urgent necessity. that tenants will be enabled to meet the just demands of their landlords, and that an equitable basis will be established for the sale and purchase of land; that we, therefore, earnestly advocate, as an essential part of remedial land legislation, the speedy and general adoption of a fair system of rent reduction.

That we renew the appeals which we urgently but ineffectually made before the passing of the Land Act of 1881, in favor of lessees, and of the occupiers of town parks, and against the inclusion of tenants' improvements in the valuation of their rents.

That, without referring to Home Rule and other questions on which our opinions have been recently published, we cannot omit urging our claim upon the present Parliament for the removal of the educational grievances so frequently protested by the Episcopal body, which we represent. In the three departments of public education we demand perfect equality as to State helps and endowments with our non-Catholic fellow-countrymen. With less we shall never rest satisfied. And we claim, as an essential condition of religious freedom, that we shall be at liberty to unite religious with secular education in all our schools.

That copies of these resolutions be forwarded to the Prime Minister, to Mr. Gladstone, and to Mr. Parnell.[22]

These resolutions were formally ratified in the annual meeting of the Catholic Hierarchy at Maynooth towards the end of June. They then bore the signatures of twenty-three Archbishops and Bishops; the primate Archbishop M'Gettigan and six Bishops, who were absent from the meeting commu-

nicated their adhesion by letter. Nevertheless, the Crimes Bill was passed without a division in the House of Lords, July 18, 1887.[23] This new measure of coercion was soon used by the Chief-Secretary Balfour to proclaim as criminal both National League and Home Rule meetings. With the latter even English politicians under Gladstone's leadership had become personally identified. Nevertheless, collisions were tyranically provoked, and violent deaths, arrests, prosecutions, and imprisonments followed. The campaign was carried into America, where Mr. Arthur O'Connor and Sir Thomas Henry Grattan Esmonde, Home Rule members of Parliament, promoted the cause. When the Monroe County Branch of the National League, under the presidency of Dr. Casey, gave them a reception, at which they spoke, Bishop McQuaid found it necessary also to make his voice heard, October 23, 1887:

> When I very cheerfully accepted the invitation to be present I did so on the special understanding that I was to be a spectator and not a speaker However, there has come to my ears within a couple of hours that which makes it a duty to speak, and, the gentlemen permitting, I will say a few words. I have listened with close attention to the discourses of Mr. O'Connor and his colleague, and with it all I am in hearty and whole-souled accord. They will permit me to say that they omitted from their speeches one very important element in the success of Ireland's cause in the past few years, and one most important for future success. They spoke of the people at large, of the Parliamentary party, of the press and its extraordinary power for good or evil, and in this case for good, but forgot or had not time to speak of the work of bishops and parish priests and curates of Ireland.
>
> There were no meetings in cities or rural districts where the parish priest was not found helping in controlling the people in the great warfare, in which the poor oppressed nation felt that it was regaining its ancient freedom. We know in America the value of free government in our municipality, State, and United States. It is the greatest government on God's earth. We, who thus rule ourselves in free America, are largely Irish by birth and origin. We may have been driven forth from Ireland, and hooted at, and set forth as unfit to govern ourselves, but if we have done nothing else in America, we have demonstrated that Irish men and Irishmen's sons can not only govern themselves, but also others.
>
> I come to say that so long as the agitation is carried on in a legitimate and constitutional way, the bishops in Ireland, in America—and we are winning over bishops in Europe and every country in the world, not excepting Italy and the Pope himself—it will have not merely their lukewarm, but hearty sympathy, until Ireland shall

govern herself, develop her own resources, make her own laws, and remove the disgrace that this island, surrounded by the sea, has no fisheries. So long as Ireland holds to constitutional methods, the American press will uphold the cause. What has won over the press, but the legitimate and constitutional methods? Perhaps, some do not know the strength of constitutional agitation, and how thus the weak stand invulnerable.

I stood here once before and said that, if this kept on, no power of the British government could subdue Ireland. I meant if the league continued methods well known to the Irish people and well-adapted to their native wit, the British government could do nothing. You can overcome a fighting man, not one standing determined before you with scorn in his face. I stand now as then. I now hurl back the calumny that the bishop lost favor in his church by his position. Pope and bishop are with Ireland and will be until her Parliament is restored, and again is heard on College Green oratory worthy of the old days of Grattan and Curran. One of the greatest injuries done the Irish people was the lack of the opportunity to develop native oratory.

Again I say that I entirely agree with Mr. O'Connor, and I agree with him in saying that the period of waiting for success is measured by months, not years. I agree with the statement that the Irish parliamentary party is converting England, and a great and glorious nation will soon be made.[24]

In Ireland, precisely at this time, Archbishop Walsh gave marked proof of practical interest in the economic welfare of the Irish tenantry. The new Irish Land Bill, pending in Parliament, was to admit the leaseholders of Ireland "to that benefit which they have so long been claiming without effect—the right of access to the constituted courts of the country for the fixing of the fair rents of their holdings." It was also to confer the same right "upon many of those non-leaseholding tenants in whose cases judicial rents were fixed at a time antecedent to the adoption by the courts of the present standard of rent reduction." Nevertheless, a sad complication developed; the forces of the crown were then "employed in the eviction of tenants who are, no doubt, in the present state of the law, abandoned to the unrestrained will of their landlords, but who in a few weeks hence will not improbably be placed under the protection of the Land Commission Courts." Archbishop Walsh, therefore, appealed to the Government, July 16, 1887, to provide somehow a suspension of evictions until the new Land Act took effect. The justice of the request was emphasized by the amazing results of a study of the sta-

tistics of the province of Leinster, with which the Archbishop was connected by his official ecclesiastical position, and which stood lowest in the percentage scale of reductions by the Commissioners according to their report. When Archbishop Walsh compared the present calendar year, 1887, with the earlier period, 1882-1885, he discovered that the percentage of reduction in the province of Leinster had arisen from 17.8 percent to 38.1 percent, a difference of practically 24 percent. This meant that the judicial rents fixed for the earlier period should now be reduced by 24 percent to bring them to the level of the judicial rents as fixed by the courts in 1887. Archbishop Walsh, therefore, concluded his appeal: "I cannot think that the overwhelming evidence thus furnished by the official returns will now be disregarded by Parliament or by the Ministry. If it is not to be disregarded, on what ground can my appeal for a temporary suspension of the power of evicting the now unprotected tenants be set aside?"[25] The appeal did not put a stop to evictions, and October 28, 1887, Dr. Casey announced at a meeting of the Irish National League in Rochester that Bishop McQuaid had sent a check of $25 for the eviction fund, for which $600 had thus far been subscribed. Wm. Purcell and Joseph O'Connor were appointed to draw up an appeal to the Public for funds.[26] These same things were done throughout the length and breadth of the United States, especially for the relief of those who suffered eviction because of the operation of the Plan of Campaign.

An acknowledged objection to the Plan of Campaign was the fixing of the rent by the tenantry without the concurrence of the landlord, when, in the nature of things, it was a question of a bilateral contract. However, this was only a turning of the tables on the landlord, who had fixed the rent without any regard to the rights of the tenant except under the compulsion of legislative land reform that, in justice, called for further revision in favor of the tenants. There was no injustice to the landlord, as the Plan of Campaign pledged a fair rent, and the pledge was kept, so much so that Archbishop Walsh feared lest the tenants themselves would become the victims of injustice through its operation. He made his fears known under very sad circumstances seen with his own eyes —the misery inflicted by one man on the evicted tenants of

the Coolgreany estate who wanted nothing "but to be allowed to live in peace, on payment of fair rents for the farms on which they have lived for so many years, those farms that in so many cases have come down to them from their fathers and grandfathers, and even, as they told me yesterday, in not a few instances, from generation to generation, back through centuries." Archbishop Walsh, therefore, remarked in the course of an interview given to a representative of the Press towards the end of October, 1887:

> I know that the leading organizers of the movement [the Plan of Campaign] make it a point to keep the tenants' claims within the narrowest possible limits. The reductions they seek for are, as a rule, far short of those judicially granted by the courts. This moderation is a very good thing in its way. But as I view the case, there is a principle at stake. My advice then would be to stand by the principle. Very little credit is given by the landlords to men like John Dillon for the moderating influence exercised in keeping down the tenants' claims.....
>
> I take it on myself to say for the tenants that they would not object to a reference of the whole case to any fair arbitration. Let two arbitrators be chosen to represent each side, with power, if necessary, to call in an umpire. If the agent on the estate, when he reads your report of this interview in the *Freeman's Journal* of Monday, accepts this view, well and good. If he does not accept it of his own motion, let it be pressed upon him to do so by the united advice of those whom the landlords of the country have chosen to represent them, and to devise means of protecting their interests, in the present crisis of their fortunes. If we cannot have a "Round Table" Conference on the land question in its general bearings, let us at least have one on the case of the Coolgreany tenants. I should think that the success of the lesser project would bring us a very decided step nearer to the success of the greater one.[27]

The formation of a representative committee of Delegates in the meeting of the Landlords' and Incumbrancers' Association, August 26, 1887, had been seized upon by Archbishop Walsh of Dublin the following day to propose "a 'Round Table Conference' of duly accredited and recognized representatives of the landlord and of the tenants interests of Ireland to sketch out, at all events, the broad outlines of a plan for the equitable and final settlement of the Irish Land Question." This was the first time that there was such a representative body in existence to speak with authority for the landlords, and the Archbishop declared that "at the ten-

ants' side the necessary arrangements could be made within a month." Finally, he urged earnestly "this chance, possibly this last chance, of a just and friendly settlement" in the following words:

> The abolition of the present "dual ownership" of land in Ireland—in other words the abolition of Irish landlordism as it now exists—is a leading feature of the publicly proclaimed legislative programme of the present Ministry. The only practical question then to be considered is that of terms and conditions on which this revolution in the land tenure of Ireland is to be effected. Is it not desirable in the interests of every class and section of our people that those terms and conditions should be such as Irishmen themselves may devise, rather than those which, in view perhaps mainly of English interests, may be devised for us by others? For myself, I can have no doubt as to what the answer to this question ought to be. I have therefore ventured, though it be thus crudely, to make the suggestion that has occurred to me. I have done so, I should add, without consultation with any one. I am not without hope that some good may come of it. I feel satisfied at all events that it can do no harm.

Two days later, Mr. Wentworth Erck, honorary secretary of the Landlords' and Incumbrances' Association expressed his own individual opinion in writing to the *Freeman's Journal*, where Archbishop Walsh's statement had also appeared. With all other landlords, he recognized "the altered relations that now exist between ourselves and our tenants; and that we are now but, as it were, mortgagees of the estates that were once our own as absolutely as Letters Patent from the Crown and Landed Estates Court conveyances with 'indefeasible title', could convey them; and, for the deterioration of our property occasioned by the Legislature, we maintain, and we ever shall maintain, we have indefeasible title to compensation, and, till such compensation has been made, we cannot listen to any proposals which would involve a further confiscation of our properties. This being understood, I think that the question of a conference is one preeminently fitted to be brought before our delegates in September, and I should hope not without some prospect of success; for when the Duke of Abercorn stated at our meeting 'that it was a meeting of landlords desiring to do the best they could for themselves, their tenants, and their creditors', he used no mere words, of course, but the very words which had been deliberately

adopted at the preliminary meeting."[28] About a fortnight later the meeting of the landlords' delegates took place in Dublin, and Archbishop Walsh felt himself obliged to regret "that the delegates should have been inclined to think, as Mr. Bagwell expressed it, that 'this is not the time for the conference.' " The Archbishop could not shut his eyes to the consequences of Balfour's tyrannical coercive policy since his proposal was made: "Events had occurred which well might, and which possibly would have the effect of raising up an insuperable barrier in the way of a calm and amicable consideration of the landlord and tenant question at the present moment." Nevertheless, he did feel that the action of these delegates meant a lost opportunity,[29] for which they were severely criticized by Lord Monck, September 7, 1887:

> We are confessedly in the midst of a most grave crisis, any action with regard to which, in order to have effect, must be thoroughly practical. Now I do not deny that a certain amount of academic and personal interest may attach to the vindication of the characters of Irish landords, and no doubt it would be possible to write an entertaining treatise on the justice and policy of the legislation of 1870 and 1881. This is the task which the conference by its first two resolutions has assigned as the occupation of its executive committee for the next few weeks. My quarrel with this proceeding is that these considerations are out of date—that they have been long ago discussed *ad nauseam*, and decided by the highest tribunals in the country—and that they have no more bearing on the matter in hand than any other abstract question of ancient history. *Les gens qui n'ont rien appris, ni rien oublies* seems to me a fearfully ominous description for a conference of Irish landlords to render themselves liable to at the present time.
>
> There appears to be an almost unanimous consensus of public opinion that the settlement of the Irish Land Question must take a certain direction, namely, the expropriation of the present owners and the substitution in their place of the occupiers of the soil. On the wisdom of this mode of action, it is not necessary, for my present purposes, to express any opinion, but if this principle has been accepted as that which is to regulate the proposed operations, of what value are dissertations on the character of the landlords, on their past dealings with their tenants, or on the effect upon their interests of legislation which has been adopted and is now the law of the land? "Agree with thine adversary quickly while thou art in the way with him," is sound advice in a political, no less than in a social aspect, and I think the landowners of Ireland will show their wisdom by making a practical use of the suggestion which has been made to them, and thereby creating the possibility of

(A) EDWARD McCABE, D. D., Archbishop of Dublin 1879-1885, Cardinal 1882;
(B) WILLIAM J. WALSH, D. D., Archbishop of Dublin 1885-1921;
(C) THOMAS WILLIAM CROKE, D. D., Bishop of Auckland, Australia, 1870-1874, Archbishop of Cashel 1874-1902;
(D) IGNATIUS PERSICO, D. D., Bishop of Savannah, 1870-1872; Cardinal 1893-1896;
(E) THOMAS NULTY, D. D., Bishop of Meath 1864-1899.

obtaining a fair and satisfactory solution of a most embarassing and difficult question. I am sure they ought to relieve themselves in some way from the responsibility of rejecting or practically ignoring such a proposal and emanating from such a source.[30]

The communication received added weight from the fact that Lord Monck was an Irish Landlord himself and that he had great experience as the head of the administrative department of the Irish Land Commission. Mr. Villiers Stuart of Dromona, also entirely on his own responsibility, finally asked Archbishop Walsh to have suitable delegates appointed on the part of the tenants to meet the whole Executive Committee of the Landowners' Convention, October 12, in order to fix the time, place, and conditions for the suggested Round Table Conference. The Archbishop, despite this invitation, found it necessary to protest against the language of Mr. Stuart's communication to himself:

The tone of Mr. Stuart's letter is, to say the least of it, irritating. To describe in a public letter "the policy which marked the last six or seven years" as involving, or as tending towards, such dire calamities as "the poisoning of the very life-blood of the nation," "the undermining of the principles of truth, of honesty, of honour," "the demoralization of our people," "the loosening of the ties of religion," "the encouragement in the rising generation of all the worst passions of human nature," and "the ruin of all the noblest instincts and attributes with which God Almighty has endowed mankind," is hardly the most effective way of helping on the work of conciliation and peace, in which I have, I fear too hopefully, engaged.

I cannot conclude without most formally protesting against the gross language in which Mr. Stuart has taken upon himself the fearful responsibility of publicly assailing the tenantry of Ireland at this most critical moment in the history of our Irish Land Question.

This question of truth and honesty which he has chosen to raise is not a question that can be settled by the use of hard words on one side or the other. Our people claim nothing but justice. In the great question so long at issue between them and the landlords at whose mercy they held their farms in fear and trembling for so many generations, they claim only to have full effect given to the principles which now at length have left their mark upon the Statute Book of England. They do not claim, and they have never claimed, that their rents, however, exorbitant those rents may have been, should be reduced at their own whim and caprice. But they protest, as they have always protested, and as they will continue

to protest until full justice shall have been done to them, against the maintenance, in any of its parts, of a system which left the fixing of those rents to the uncontrolled whim and caprice of the landlord or of his agent. I do not wonder that in the councils of the "executive Committee" of landlord delegates all this is looked upon as evidence of the "poisoning of the very life-blood of the nation." But, for all that, it is a simple claim for justice.[31]

As soon as Mr. Bagwell saw the invitation of Mr. Stuart to Archbishop Walsh, he at once protested in the *Times*, asserting what Mr. Stuart clearly intimated, viz., "Mr. Villiers Stuart had no authority whatever, either from the Convention itself or from the Executive Committee appointed by it, to open negotiations with any one." As Mr. Bagwell seemed to speak with some authority, Archbishop Walsh now took the liberty to say in turn: "I have no desire whatever that any further 'negotiations' should be pursued. So far as I am concerned, Mr. Bagwell and his brother delegates may henceforth pursue, in undisturbed tranquillity, the course which they have seen fit to mark out for themselves. But I venture to prophesy that the day is not far distant when the results of their course of action will be viewed by those who have entrusted them with so heavy a responsibility with feelings of dismay."[32] The Executive Committee now felt "bound to declare that, while we unreservedly recognize and accept the rights conferred on our tenants by recent legislation, we are now, and shall at any time, be ready to assist those similarly disposed towards us in forwarding objects common to both, and ready, while receiving such assistance and assurances from duly accredited representatives of the tenants, to confer with them for the attainment of those objects."[33] Archbishop Walsh's desire to act as peacemaker continued unchanged, although he found the statement of the Committee extremely ambiguous. This made the Executive Committee of the Irish Landlords' Convention adopt a resolution, November 2, 1887, declaring "in the clearest terms" that they were "ready and willing to meet and confer with duly accredited representatives of the tenants of Ireland upon the terms and for the purposes mentioned in the Most Rev. Dr. Walsh's letter of August 27th whenever we are informed that such representatives are ready and willing to meet us."[34] When the Irish Landlords held their second Convention towards the end of

December, they took no step towards a reasonable and friendly settlement with their Irish tenants, but made every effort to enlist State aid to enhance the value of their lands by having other classes of the community share in the public charges laid on land, roads, general county charges, poor rate, etc. Even the *London Tablet,* December 24, 1887, found it "disappointing that at such a moment of national crisis an assembly of able men, dealing with a subject of supreme interest for themselves, should contribute so little help to a statesmanlike solution of the chief difficulty of the hour." The Plan of Campaign, therefore, remained despite occasional protest. When Bishop O'Dwyer of Limerick indignantly repelled the false charges disseminated in the Press, that he was a "landlord bishop" in opposition to the farmers and a Unionist in opposition to the National movement for Home Rule, he wrote the *Freeman's Journal* of Dublin, December 19, 1887:

> At our last diocesan conference, in the month of October, before I ever imagined that I should be dragged before the public in this way, I spoke to my priests, fully and confidentially, as to the course of action they should pursue. I told them that in my opinion they were bound by way of obligation, now more than ever, to stand by their people, and to show their sympathy in the difficulties of the situation. I said that I regarded the agitation in its substantial objects of self-government and the radical reform of the land system as legitimate and just in the main, and that so long as they were sought by methods in accordance with the law of God, that, so far from restraining the priests or the people, they had my heartiest approvel.
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> But, sir, as I am put to it, I will add what I added for my priests. I had hoped that as regards those points on which my conscientious convictions were not in accord with those of others, equally, and, indeed, better entitled to speak with authority, that I might have been allowed simply to remain silent. When I could not go with the people, I made up my mind at any rate not to join their enemies and mine, and therefore resolved as long as I was allowed to do so, simply to stand aside. Now I am compelled to speak and publish the views that I put before my clergy.
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> While I gave my approval to the land agitation, I told them that there were certain methods connected with it that I considered irreligious. I mentioned boycotting. I held that with an excitable people like ours that you cannot mark a man out to be boycotted without a terrible risk of crime, even the crime of murder, and, therefore, that, however defensible theoretically, in practice it was always sinful. And I added that, whatever might be thought of it amongst laymen, that as between a priest and his own flock, whose

salvation might depend on his sacred and confidential ministrations, it would be absolutely scandalous. I directed them then on no account to be parties to the boycotting of any man.

I am convinced also, although I had no need then to refer to it, that the Plan of Campaign is unjust, and that in the last resource its only sanction is violent resistance to the law. I observed too that arising out of the Plan of Campaign there has been developed a system of violent agitation, in which the people were being gradually drawn into circumstances in which collision between them and the armed forces of the Government would be inevitable, although there might be some difficulty in fixing the responsibility for the immediate outbreak of violence. In all these and other similar ways, I thought the guidance of the agitation was not only politically stupid, but morally wrong, and I therefore felt bound conscientiously to stand aloof from it.

I appeal to my countrymen for my justification in that course. I do not ask any man to say I am right; but I ask any honest man, who believes that without corrupt motive of any kind, I came to the conviction that boycotting and the Plan of Campaign and violent resistance to the law were bad and sinful, what was I to do? Was I to stifle my conscience for popularity? Is the applause of the people the highest object in life? Am I, a Catholic bishop, to be allowed to form my own opinions, or must I suppress my own judgment as if I were the paid creature of a political organization?

On the other hand, I could not, and I would not, join the enemies of the people. Even though the methods by which the people worked were wrong, they were in a rough way, and looking at the whole thing largely, getting no more than justice. Was it not fair, then, for me to say to my priests—Go with your people; stand between them and oppression; never desert them, but at the same time keep yourselves, and as far as influence goes, keep your people within God's law? That is the position which I have taken up. I am no intriguer. What I do, I do in the light of day, and no vituperation will, I trust, make me false to myself and my sacred office.

Coadjutor Bishop Healy of Clonfert, who had been likewise denounced, telegraphed his full agreement with every word of Bishop O'Dwyer's letter.[35] Bishop Healy had been grossly misrepresented before. The *Times*, September 19, 1887, published a letter by "Veritas" on the state of Woodford, according to which the Bishop had denounced in the neighboring Church of Clooncoo "the terrible conduct of the people of Woodford, and the consequences that were sure to arise wherever there exist secret societies and their terrors," saying that "the people of Woodford would see a curse from God fall on their present generation and on the generation

to come." Bishop Healy himself gave the following testimony as to the facts of the case:

> I was officially informed by the parish priest that there were no secret societies in the parish, and, although I had some doubts in my mind, I was bound to accept that statement as true. I congratulated the people on the fact, and I merely warned them to be on their guard against secret societies in future.
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> It is, I am told, true that "two sharpers"—I will not say "Land League sharpers"—were sent out to "warn" the people not to attend the church on the day of the visitation. If that be so, I am happy to say their efforts were not quite successful, for the church was crowded with a most respectful and reverent congregation. But even the attempt to do so is a very significant sign of the times, and of the pressure which is sometimes brought to bear on neutral ecclesiastics in Ireland. I myself have never in any single instance sought to interfere one way or the other between landlords or tenant. I have never spoken or written one word in public on the relations between landlord and tenant. But that will not content the men whose maxim is that "every one who is not with us is against us."

It was against such as "by words and acts kept persons away on Sundays from God's house, which is the throne of His mercy and the fountain of His grace," that Bishop Healy said: "In my opinion, sooner or later a curse from God would visibly fall on those who were responsible for that public and terrible crime."[36] Although the Bishops of Limerick and Clonfert had been calumniated, it was clear that both were opposed personally to the boycott and the Plan of Campaign, but that they were willing to let others of greater authority shoulder the responsibility of endorsing both. Others amongst the laity also found difficulties in the situation. In England, Lord Herries could not take an active part in the Home Rule propaganda, because "the movement in Ireland appears to him to have become principally agrarian," and because methods of action have been adopted "in direct opposition to the first law of the Catholic Church." Mr. John G. Kenyon answered the two difficulties in a letter to the *Tablet*, where it was published December 17, 1887:

> One of the first laws of the Catholic Church is, surely, that the laity should act in charity with, and in submission to, that ecclesiastical authority, which, under the Holy See, is responsible for the

morality and the good conduct of the flock committed to its care. It will be time enough for English Catholic laymen to express alarm at the breach of this law of charity when the Bishops of Ireland themselves come forward and condemn the political action of the people. Rare instances, I admit, there have been of this. When in a district where secret societies had taken root, the people seemed to condone the murder of the president of a local branch of the National League, and went so far as to insult his widow and daughters while assisting at Mass, the Bishop, promptly interposed and placed the church under an interdict until the people returned to their senses. The action of the Archbishop of Cashel, again, in the matter of the Gaelic Athletic Association, may be another case in point. But these are exceptions which only go to prove with what self control, patience, and marvellous forbearance the Irish people are carrying on their constitutional agitation.

But "the movement is principally agrarian." Not "principally we would reply; but that it is so just now, to a great extent, in the counties of Donegal, Galway, Clare, Kerry, and Limerick we may admit. And if so, whose fault is it? I will be bold enough to assert—though it may cause astonishment to those who obtain their Irish information from the Unionist press—that up to the time when Mr. Balfour commenced his retrograde policy of coercion and repression, rents were better paid in Ireland than in very many parts of England. They would have continued to have been paid, as far as the people were able, had the policy of Lord Carnovan, developed subsequently by Lord Aberdeen, and continued more or less by Sir M. Hicks-Beach been continued in. But does Lord Herries really expect people to meet and discuss in their public meetings elaborate plans for Home Rule, when they are being driven by hundreds into the workhouses, or the hillsides and bogs of the west, by bailiffs and police, for refusing to pay impossible rents? Let the action of the Land Commissioners in reducing the rents in other parts of Ireland, let the comments of Chief Baron Palles in the Claricarde trial be ample justification for the temporary agrarian tendency of the National Movement in some parts of Ireland. Coercion however is proving futile, as Lord Carnovan two years ago declared it would; and when Mr. Balfour has done his best, or worst, and admitted his failure, we can promise Lord Herries that the Home Rule question, pure and simple, will come to the front again with a rush, and we shall then claim with confidence his cordial co-operation.

When Colonel Chichester challenged the accuracy of the facts alleged in this letter, Mr. Kenyon maintained them with additional proof and special reference to the manifesto of the Irish Bishops dated the 22nd of June last: "Until the resort to the Plan of Campaign by the tenants on the King-

ston and Hill estates—to take two instances—has been condemned by that authority, I shall be slow to believe that it was not perfectly justified." Mr. Kenyon, however, did find it necessary to make one correction: "I crave pardon for saying that tenants were being driven from their homes in hundreds. Glenbeigh, Woodford, Gweedore, will alone account for hundreds, how many more there may be I cannot reckon. More probably thousands. That there were still more evicted in Sir G. Trevelyan's time is quite possible. That is one of the periods in Irish history of which Englishmen in the future will be most ashamed. But Sir G. Trevelyan has confessed his faults and is making reparation. May Mr. Balfour live to do the same!"[37] Much more significant than these letters was the address drawn up for presentation to Monsignor Persico, special Papal Envoy to Ireland, on behalf of Catholic Englishmen, towards the end of the year 1887:

> We, the undersigned, desire respectfully to approach your Grace upon your return from Ireland, and to offer to you the assurance of our loyalty and devotion to the Holy See, together with our congratulations upon the accomplishment of your important mission.
>
> As Catholics, we feel specially bound to express our gratitude to the Sovereign Pontiff for the tender solicitude displayed by him, as our common Father, for our suffering brethren in Ireland; remembering as we do that it is to them, under Divine Providence, that we owe the liberties we enjoy at present in our country after centuries of persecution.
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> As Englishmen, bitterly conscious of the oppressive conduct of England towards Ireland in the past, we hailed with pleasure the advent of your Grace, believing that it would materially assist and morally encourage our efforts to make amends for the past and to obtain justice in the future. We cannot doubt that the result of your prolonged stay in Ireland will have been to reassure you completely as to the legitimate and reasonable nature of the national aspirations, the denial of which we hold to be the main cause of all the misery and distress which cannot have failed to strike your Grace painfully as the chief material characteristic of the country. You will at the same time have been consoled by observing the apostolic wisdom which characterizes the episcopate, the zeal which animates the clergy, and the piety which distinguishes the whole people.
>
> Your Grace will have noticed and appreciated the remarkable fact that, in the present struggle for constitutional changes, constitutional methods of agitation are recommended by the leaders and accepted by the people with a practical unanimity which some rare exceptions here and there only serve to illustrate. Under the influence

of this happy sympathy between hierarchy, clergy, and people, not only have secret political associations almost, if not entirely, disappeared; but the bitter and not unnatural enmity and suspicion which have for centuries existed in Ireland against our countrymen are rapidly giving way to affection and confidence.

Englishmen who visit Ireland to express sympathy with the people, or even to instruct themselves impartially as to the state of the country, are met with an enthusiastic welcome which a few years ago would have been out of the question.

But amid these general signs of improvement in the relations between the two countries, we have to deplore the action of certain lay members of the Catholic Church in England—men of high position and honorable character—who, for reasons assuredly worthy of them but incomprehensible to us, have adopted a course of bitter and uncompromising hostility towards Ireland. Disparaging and disrespectful observations concerning the conduct of priests and even of the bishops of Ireland have been made, and the latter especially have been publicly censured in speeches made in England and even, as we have reason to believe, in private representations, made less unbecomingly, but not less unjustly, to the Holy See itself.

We desire most emphatically to repudiate the action of those to whom we allude: and we protest against it as insulting to that ancient hierarchy and venerable priesthood which have been the main safeguards of the Faith in Ireland in the past, and which are still among the chief glories of Christendom.

Finally, Most Reverend Lord, while we abstain from making needless appeals or offering uninvited counsels to the Holy See, we desire to express our firm conviction that no misrepresentations however conscientiously made, or from however distinguished a quarter they may proceed, will ever be successful in inducing the Holy Father to withhold his countenance and confidence from his faithful people of Ireland, who, constant to the noble traditions of their past, and adhering as firmly as ever to the faith of their fathers desire only to secure for themselves and their children the power to conduct their own internal affairs, under the shelter of the British Crown, in accordance with the wants, the feelings, and the history of their race.[38]

Mgr. Persico's mission to Ireland, from beginning to end, was seized upon by sensational newspaper correspondents to spread wild rumors. At the very outset, *The Dublin Evening Mail,* June 27, 1887, published an alleged dispatch from Rome: "In consequence of the representations made by Cardinal Manning and Archbishop Walsh of Dublin, upon the inexpediency of the intervention of the Vatican in Irish political affairs at the present moment, and the bad impression it would produce, the Pope today ordered the suspension of the

mission to Ireland with which Mgr. Persico and Father Gualdi were to have been entrusted." The same day the *London Times* expressed regret that the mission of Mgr. Persico had been revoked "at the instance apparently of Cardinal Manning and Archbishop Walsh," adding that "the active promotors of Separatist intrigues are hardly the persons who should have a determining voice in the Councils of the Church." Cardinal Manning indignantly repudiated the calumny against himself and Archbishop Walsh: "We are neither intriguers nor Separatists." Addressing the Editor of the *Times*, he continued: "If, sir, I have written with unusual warmth, I will confess to you that I hold resentment to be sometimes a duty. And this is such a time, when your words touch our highest responsibility and inflame more and more the heated contentions between two peoples whom justice and truth would still bind in peace and unity." Archbishop Walsh repudiated the statement in the *Dublin Evening Mail* with equal force:

> Now it is a baseless concoction, and the object with which it has been concocted is sufficiently manifest. It has reference to a "mission" which the Sovereign Pontiff, influenced not only by wise reasons, but by that special feeling of affection towards Ireland and her people of which he has during his Pontificate given so many and such striking proofs, recently decided upon sending to this country. The nature of that mission is most skilfully misrepresented by this absolutely unfounded statement that the mission has been "abandoned" or "postponed" in consequence, or partly in consequence of a "remonstrance" from me.
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> I have made no such remonstrance. Knowing what I have the opportunity of knowing as to the nature of the projected mission and of the object which it is intended to accomplish—an object which, if it be duly carried to completion it can hardly fail to effect—no thought could well be further from my mind than that of offering any remonstrance on the subject.
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> In a word, there is not the slightest element of truth in the statement from the beginning to the end. I have now contradicted it as explicitly and as fully as it can be contradicted by any words at my command, and having done so, I now take final leave of the unfortunately unprofitable task of endeavoring to check by contradictions the systematic publication in the anti-Catholic press of these countries of false statements as to the relations between the Holy See and Ireland.[39]

In Ireland, Mgr. Persico reassured the clergy and people as to the character of his mission, if lying reports had in any

way poisoned their minds with misgiving or doubt. To give but one typical instance, he told the crowds of people who came out in his honor, on the occasion of his visit to Tipperary, where he was welcomed by Archbishop Croke: "The Pope loves Ireland; he knows all the sufferings she has gone through, and feels the deepest sympathy for her people. He has sent me to tell you of his love and sympathy, and moreover that he intends to do some great and real good for Ireland. Whenever his Holiness raises his voice, the potentates of the earth listen with reverence, for he speaks nothing but in truth and justice. He will do all that lies in the power and province of a Pope for the welfare and prosperity of Ireland. This is why I come amongst you, and I know you appreciate Pope Leo's goodness, and that you will receive with the characteristic faith and gratitude of the Irish race the blessing which I give you in the name of his Holiness."[40] When the Reverend *Abate* Gualdi returned to Rome to present to the Holy Father the addresses which the Pontifical Commissioner, Mgr. Persico, had received during his progress through Ireland, the *Osservatore Romano* took advantage of a favorable opportunity to have an interview with the former. These were the principal points which, in his opinion, were worthy of consideration: "1. That the addresses, of which there are a great number, after thanking the Pope for sending to Ireland so estimable a prelate as Mgr. Persico, express fidelity to the Holy See and boundless confidence in his Holiness. 2. That there does exist in Ireland an agitation based, not only upon the memory of ancient wrongs inflicted by England, but also upon serious present necessities demanding attention. 3. That the presence of Mgr. Persico has contributed to keeping the country more tranquil. 4. That there is every ground to hope that by attentive study of the existing grave situation a means will be found of settling the differences between landlord and tenant, the more so because the Irish people are very far from desiring separation from England. 5. That confidence in the Pope is shared alike by the Catholics, who carry it to an enthusiastic degree, and by the Protestants who displayed profound respect for Mgr. Persico on all occasions."[41] The Jesuit organ at Rome, the *Civilta Cattolica*, also published an interesting communication from a Correspondent on Mgr. Persico's visitation to Ireland:

Two versions are current as to the objects of his mission. According to one, it is partly political, partly religious; according to the other, its object is almost entirely religious, and little, if at all, political. The former version probably approaches nearest the truth; hence the Catholic Unionists, who without doubt are in communication with Lord Salisbury regarding the Persico mission, have left no means untried to bring Mgr. Persico under the influence of the Prime Minister. The second version is reasonable; and as the little his Excellency has said in public has, more than anything else, been of a Nationalist character, it is only natural that most people accept this explanation. Several pamphlets have been published in Rome, both in English and Italian, by English Catholics, and are said to have been brought under the notice of the Pope in a sufficiently pleasing way. The object of these pamphlets has been to show that the Irish in general, both priests and laymen, are inclined to Socialism, and allowed themselves to be led by those whose religious opinions are far from being Catholic or even Christian. And furthermore it was said that the people were losing their former Catholic spirit and were ready for anything. Of these pamphlets, one at least was published in the two languages, side by side. From such facts and from many rumors afloat, it is argued that the object of the present mission was to see to what extent these things were founded, and specially to clear up the following points: What progress has Socialism made? Has the religious spirit of old disappeared? And in addition, in Kerry, up to what point the Land League is responsible for the excesses committed there?[42]

When the Address of English Catholics to Mgr. Persico in favor of Ireland was published on the completion of his mission, the London *Tablet* in its Tory speculations also stated: "If it means anything else, it probably means this: 'We hope the Holy See will not be influenced by the Duke of Norfolk, Lord Denbigh, and others who disapprove boycotting, the Plan of Campaign, resistance to law, and who do not share the opinions of the Gladstone-Parnell party.' "[43] In the mutual exchange of Golden Jubilee congratulations between Queen Victoria and Pope Leo XIII, the Duke of Norfolk was chosen for that mission to the Vatican. The Earl of Denbigh had eloquently voiced his disapproval of Irish Nationalist methods in the speech on the coercive Crimes Bill in the House of Lords:

The tenant farmer in Ireland had not had the same advantages as in England. With some notable exceptions he was generally considered as a rentpaying machine, and but little consideration

did he get if he failed to pay his generally exorbitant rent. There was no sympathy between him and his landlord. The Catholic districts being the poorest, generally speaking, had ever been the focus of discontent. Emissaries from America, many of them descendants of those who had in time past emigrated from the Irish shores with bitterness and hate in their hearts, came over and traded on the lowest passions of the poor and ignorant Irish. They assured them that, if they would band together to repudiate their debts, they would impoverish and drive out the landlords and would thus enter again in the estate of which their forefathers had been dispossessed. What wonder, then, if they jumped at this and fell into the specious snares of these schemers, whose chief object was to embarass and impoverish the England they had been brought up to hate.

Combination when innocent was lawful, but when it was used to violate the laws of God and of the land it must be put down as immoral. I need not tell you the horrors of boycotting which was a distinct violation of the Divine law of charity. The Plan of Campaign was organized plunder, and as the leading Irish judges had declared that juries could not be depended upon to convict, there remained nothing but the summary jurisdiction of a trained magistrate. The anomoly was increased by the fact of these Catholics being apparently headed and supported by their clergy in these unchristian actions and violations of the law, but from inquiries I have personally made in Ireland, I was convinced that a large number of the bishops and superior clergy lamented these excesses and would willingly receive assistance from without to help them to control the unruly and deplorable actions of the National League. This National League, by its intolerable tyranny, kept in subjection both clergy and laity, with some notable exceptions, and as a bishop expressed it to him, it required a hero or a saint to brave its displeasure and penalties. It was astonishing to think how men, who probably would be capable of giving their lives for their faith, as did their forefathers, were yet so terrified of incurring unpopularity at the hands of their neighbors, that they would abstain from openly condemning what they knew must be wrong. They were like the Comtesse de Guise in the *Ingoldsby Legends*, who "did not mind death, but she could not stand pinching."

It was, however, difficult to judge of others until we have passed ourselves through a like ordeal. Some priests had purposely joined the National League in their own parishes in order to control their actions and minimise the evil; but many, instead of exercising control themselves, had been carried away and compromised by the movement. It was chiefly the younger and more ardent curates that had figured most in the Nationalist ranks. The parish priest as a rule kept quiet or stood aloof altogether. He had touched on the past unjust behaviour of England towards her Catholic subjects in order that he might have the satisfaction of bearing witness

to her present fairness and consideration for them. He was encouraged the more in this by the testimony of the reigning Pontiff, Leo XIII, who, in an audience which he granted him four years ago, expressed himself to the following effect: "I am so sensible of the justice of England towards her Catholic subjects and of the liberty which they enjoy under her rule—a liberty greater than in any other part of he world—that I wish to mark my gratitude by aiding England to maintain order, peace, loyalty, and good government as far as my influence can extend throughout the world. I can help her, not only in Ireland, but in India and in her colonies. To do this, however, I must know what she wants and must have accurate and official information as to the state of things."[44]

At all events, Lord Denbigh made a poor diagnosis of the situation in Ireland as to the relations of the hierarchy and clergy with their people. One of the signers of the Address of English Catholics to Mgr. Persico, Mr. Simon T. Scrope, who also did not approve of "boycotting, the Plan of Campaign, and resistance to law," protested, December 20, 1887, against the injustice and impropriety of the *London Tablet's* language: "I for one condemn and deplore these sad results of faulty legislation. I am in favor of a constitutional change in the law that would, in my opinion, put an end to everything of the kind. The Catholic Church up to this time has not had fair play in Ireland. Her children have suffered, and are still suffering from the effects of cruel and unjust laws; they have in consequence, when the law refused to protect them, taken the law into their own hands. It is not necessary that those who signed the document you allude to should approve of all the methods that a cruelly wronged people have taken to defend themselves." Despite the Earl of Denbigh's assertions, the *Tablet* had to confess that "Nationalists, lay and clerical, approve these methods and defend them" as admissible in the abnormal condition of affairs in Ireland for which they were not responsible. In fact, the *Tablet* could only cite the Bishop of Limerick's personal denunciation of boycotting and of the Plan of Campaign on its side. This had received the full endorsement of Bishop Healy, but it was directly contrary to the approval of others, whose judgment the Bishop of Limerick confessed might be superior to his own.[45] Nevertheless, the *Tablet* failed to see the logic of these facts and awaited Rome's condemnation of these methods on the report of Mgr. Persico.

Pope Leo himself, February 1, 1888, assured three hundred Irish Pilgrims, headed by Archbishop Walsh of Dublin, of his affection for his Irish children and of his persevering labor for their peace and prosperity which deserved the confidence they reposed in him. He had proved his affection for them "in sending our Venerable brother, the Archbishop of Damietta, with certain instructions bearing upon the present state of affairs that We may be aided by his report in ascertaining the actual conditions of things, and the steps that in your interest it may be desirable to take."[46] Archbishop Walsh made a long stay in Rome, being very active in the cause of Ireland, maintaining as the essential basis of a settlement the two unchangeable requirements of Home Rule and a thoroughly satisfactory reform of the Land System. Under such guidance, the adoption of a mistaken policy seemed impossible, especially as Mgr. Persico, in his reports to Rome, had insisted "that the people of Ireland have had no defenders but the priests,.....that the clergy in Ireland must be the guides and the protectors of the people," that "it would be an evil day for Ireland to separate the clergy from the people."[47] Consequently, the only thing to do at Rome was to consult the members of the Irish Hierarchy present there. This was done in fact, as Archbishop Walsh wrote Cardinal Manning, April 4, 1888:

> The Holy Father undoubtedly has a strong conviction that he can get something very substantial done for us in Ireland. So he asked the Bishop of Cork and myself to go to him one day and to tell him fully how the whole case stands. It was marvelous to see how he entered into everything; one would think that outside the shores of Ireland there was nothing in the world that he took the smallest interest in. We were with him for nearly two hours, and his sole anxiety at the end seemed to be whether there was anything else we wished him to understand. At the end he charged us to draw up a *relatio* on the whole question of the land.
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> Home Rule he understands fully, and needs no information about it. I went mainly on the question of *arrears;* a reference to the Scotch crofters' case evidently roused his indignation as to the way in which Ireland is treated. Fortunately, I was able to show him a number of the *Illustrated London News,* with a picture of the crofters fighting the military. "Ah," he said, "*una vera insurrezione.*" I said, "Yes," Holy Father, and that answers your question why this Arrears Bill was passed for the Scotch crofters and why no such Bill was passed for us: *our people are too quiet;* but if things are allowed to go on much longer in this way, we shall

have *una vera insurrezione* in Ireland too." The Holy See, judging from the outward peaceableness of the country, could hardly realize that the seventeenth century had not passed away, that the people were still struggling for their religion and their land, and that the permanency of the one depended to no little extent on the possession of the latter. A conscientious regard for the letter of English law in the eighteenth century would have left their fathers without the Faith, as it seemed likely to leave them now without an acre.[48]

Nevertheless, Leo XIII, feared "lest the true sense of justice and charity should be perverted amongst the Irish in that species of warfare which has arisen amongst that people of Ireland, in the disputes between the owners and tenants of farms and estates, called the *Plan of Campaign*, and in that form of civil interdict called *Boycotting*, which is made use of in the aforesaid disputes." He, therefore, proposed to the Cardinals of the Supreme Congregation of the Holy Roman and Universal Inquisition, who were General Inquisitors in matters of heretical corruption, the following question: "Whether it was lawful, in the disputes between the landlords and tenants of farms and estates in Ireland to make use of the means commonly called "The Plan of Campaign" and Boycotting"? After a long and diligent examination of the matter, the Eminent Fathers unanimously answered in the negative. The Holy Father approved and confirmed this answer, April 18, 1888, and two days later Cardinal Monaco incorporated the decision in a letter addressed to each Irish prelate, upon whom he urged the following arguments in its support:

> Every one may easily see the justice of this judgment, if he considers that the rent which has been agreed upon by mutual consent cannot be reduced at the desire of one of the parties alone without a violation of the contract, especially when special courts have been established for settling disputes of this nature, which may restrain within just limits and reduce rents which are higher than they justly ought to be, after having taken into consideration any want of fertility or depression in value of land which may take place.
>
> Neither can it be held right that rents should be extorted from the tenants and placed in the custody of unknown persons without regard to the land lord.
>
> Finally, it is in every way abhorrent to natural justice and Christian charity, that those should be pursued by a novel kind of persecution and interdict, who either are content with the rents which

they have agreed upon with the landlords of the estates and prefer to pay them, or who take empty farms, as they have a right to do.

Wherefore it will be your lordships' duty to warn, prudently indeed, but effectually, both ecclesiastics and the faithful, with respect to this matter, and to exhort them that while seeking for an alleviation of their sad condition, they must preserve Christian charity, and must not transgress the limits of justice.[49]

The decree was as great a surprise to Archbishop Walsh as it was to Mgr. Persico. The former informed Cardinal Manning, May 3, 1888: "If the Holy Father had waited for another week, when my information would have been in his hands, the Decree could not have been issued in its present form. But then I should have felt some responsibility in the matter. As things stand I am quite clear." Mgr. Persico wrote the same Cardinal, May 9, 1888: "Now, it is known to your Eminence that I did not expect at all the said Decree, and that I was never more surprised in my life as when I received the circular." Cardinal Manning hastened to give prudent advice to the Archbishop of Dublin, writing him May 6, 1888:

It is strange—but nothing surprises me—that you were not consulted, and that no one verified the reasons alleged for the decision as to rents. Boycotting, I said five years ago, begins in horseplay, but may end in bloodshed. The Plan of Campaign is a true reflex of the whole Irish Question. "Legal right and moral wrong"—*Summum jus, summa injuria.* I have written these words long ago—you know to whom. For the moment worldly influence has prevailed.

My daily fear is that some word or act may exceed the limits of faith or morals. At first I wished that this decision had been sent in private to all you Bishops as private direction. But then I saw that you might have been embarassed, and the brunt would have fallen on you. Now it comes over your heads from the highest source, and you are all sheltered, and have the pastoral and peaceful office of guiding and guarding your people in submission.

But I hope the Plan of Campaign will be fully explained and understood as an abnormal but moral equity. Parliament has recognized this in the arrears of the crofters of Scotland. Try to convince Cardinal Monaco and Cardinal Mazzella. The former is very acute; the latter knows the English and Irish outer world well. If you can gain them, and Mgr. Jacobini of Propaganda, they will guide the rest.

One thing more. Do not let pain, or uprightness of heart, or any self-renouncement, lead you to offer to leave your post of duty,

difficulty, or danger. God has chosen you to fill it and to stand there till you die.

There was not much danger of Archbishop Walsh abandoning his people in the hour of trial. His thoughts were already centered upon the problem how to draw good out of the evil for the advancement of the cause of Ireland. In fact, his letter of May 3, 1888, had already intimated to Cardinal Manning the new plan of action:

> Now that the Decree has been issued, I see great advantages in what has been done. The Holy Father, in clearing away from our cause those things that were put forward by our adversaries as reasons for leaving our case undealt with, has done us, I think, an enormous service. He meant all this, and if he is able now to carry out the rest of his programme, his Jubilee year may yet bring us a very long way forward in the direction of a satisfactory settlement of all our difficulties.
>
> Feeling as I do upon the whole question, I should be sorry to see any move made for an interpretation or explaining away of the Decree. We should leave things as they are. Thus our case is an immensely strong one. If, however, nothing is done for us, and the people are left without help to face another winter, we must give them a free hand.[50]

Wild rumors and vexatious statements appeared in English newspapers. The London *Tablet,* with its cocksure, but fallible "authorative" interpretations of the decree, did not fail to provoke rash and ill-advised declarations on the part of some of the Irish leaders. When letters and telegrams poured in on Archbishop Walsh for an expression of his views on the subject, he manfully replied in a letter addressed from Rome to the Dublin *Freeman's Journal,* where it appeared May 11, 1888:

> It is well to have three things most distinctly understood in Ireland: first, that a most determined effort has been made, or rather that for a considerable time past a series of such efforts have been made, to bring under the unfavorable judgment of the Holy See the Irish nationalist movement, or at least the Irish National League; secondly, that the tactics relied upon for the accomplishment of this design were skilfully chosen, and consisted in fact, in an effort to identify the League, and the movement generally, with methods of action which undoubtedly had, in many instances, been used in furtherance of the work of the League in particular localities; and thirdly, that the persistent efforts thus made for months, and, as regards one point, for years, have ended in the most absolute and

signal failure as regards the only object that was really aimed at, or substantially cared for, by their originators.

The decision of the Holy See, which has already been published in your columns, is clear and definite in its terms. It is a decision on a question, not of politics, but of morals. As such it will be received by our Catholic people as every decision which has ever yet been pronounced by the Holy See in reference either to faith or morals has been received by them. If doubts or controversies should arise as to its meaning or extent, these will be speedily solved by the bishops of Ireland, or, if it should be necessary, by the Holy See itself. But the question of morality being thus decided, the operation of the recent action of the Holy See is at an end.

The Irish people, whether at home or abroad, will, I trust, accept my assurance that neither the nationalist movement nor the National League is in the smallest degree injuriously affected by the recent decree.

Beyond this, I do not wish to go. As no one would be justified in supposing that the Irish cause is even indirectly censured by the recent act of the Holy See, so neither should we be justified in asserting that the Holy See was influenced in it by a desire to hasten on the triumph of our great constitutional movement. But that this will be the necessary result of what has taken place, I, for my part, have not the shadow of a doubt.

A new responsibility, which it would seem impossible much longer to evade, now lies upon English statesmen. The Irish cause will henceforth stand before the Empire and before the world as one that will have to be dealt with on its merits. Discussions about it can no longer have a tendency to drift away into side-issues as to the real or alleged obstacles which imprudence or want of skill may have placed in the path of statesmen sincerely anxious to take it in hand with a view to its satisfactory settlement.

If the work of pacification is to proceed with any prospect of success, the speedy removal of the more pressing difficulties of the Land Question must undoubtedly be regarded as a matter of absolute necessity. Oppressive evictions should forthwith be rendered impossible. A simple method should be adopted of fixing, speedily and upon some equitable principle, the rent to be paid upon each holding in Ireland for whatever interval must still elapse before the final settlement of the Irish Land Question can be effected by the enactment of a really comprehensive measure.[51]

To make circumstances worse, the Chief-Secretary, Mr. Balfour, meanwhile, had the charge of unlawful conspiracy pressed against Mr. Dillon, the main author of the Plan Campaign, for his part in the movement. Of course, he was convicted as a criminal and sentenced to six months' imprisonment. It was freely said "that one week upon the plank bed

would suffice to remove Mr. Balfour's most formidable political opponent forever out of his way, and that it would have been more straightforward and more humane in the Chief Secretary to have ordered out his victim to be shot."[52] This talk gained color largely from the revelations made to the *Times* by Mr. Blunt in regard to a conversation with Mr. Balfour on the government's policy of coercion, which was to eliminate the leaders of the Irish. When Mr. Blunt objected that "the arrest of the suspects was the making of the Home Rule party before," Mr. Balfour replied: "Oh, it will be quite different now. We are not going to have any such nonsense as Forster had. They will get severe imprisonment with hard labor—so severe that those who have not strong health will not be able to stand it. I shall be sorry for Dillon, as he has got some good points about him. He will get six months' hard labor, and, as he has bad health, it will kill him." The next day, March 24, 1888, Mr. Balfour branded the whole report of the conversation as a calumny. He forcibly denied that he was "villain enough to conceive the design of murdering through legal means various members of the Irish party, and fool enough to go and communicate the design to Mr. Wilfrid Blunt."[53] The denial did not save Mr. Dillon from prison and its danger of death. Nevertheless, the Irish Party stood the test wonderfully, and the credit must go in large measure to the prudent guidance that they found in some members of the Hierarchy. Archbishop Walsh of Dublin had written from Rome. In Ireland, Archbishop Croke wrote Cardinal Manning, April 29, 1888: "Two courses are open to the people—either to ignore the document altogether or to grapple freely and fully with the reasons assigned as a basis for the Decree, and then to show, as may be easily done, that it rests on no solid foundation." Archbishop Walsh, with more prudence, excluded the first alternative, and the Catholic Irish Members of Parliament chose to follow the second. Cardinal Manning himself counselled Mr. O'Brien and the Catholic members to "wait before they enunciate any irrevocable matter." He also warned them in time "that Monsignor Persico has had no part in this late event." Mr. Blunt was the channel chosen through which to reach them with this prudent advice.[54] Finally, May 18, 1888, sixty-six Catholic Nationalist Members adopted the following resolutions:

We, the undersigned Irish Catholic members of Parliament, being aware that the circular recently issued by the Holy Office of the Inquisition is being employed by the unscrupulous enemies of the Holy See and the Irish people as a political weapon to prejudice the Irish cause, to create misunderstanding and estrangment between the Irish people and their spiritual guides, and to increase the dangers, which threaten the liberties and even the very existence of our people at this moment, and being gravely mindful of the nature of the obligation which, in common with all Catholics, we owe to the Holy See, and, moreover, of the extent of our duty to our country arising out of the responsibility inseparable from our public trust as the constitutionally elected representatives of the Irish people, have deliberated together upon the circumstances of the Holy Office so far as it seems to affect the political interests entrusted by the people to our care, and we hereby unanimously resolve:—

1. That the allegations of fact which are put forth in the circular of the Holy Office are to our knowledge unfounded, and could not, we venture to affirm, have been promulgated under the authority of the Holy Office if statements so prejudicial to the Irish people had been tested by reference to the prelates of Ireland and the elected representatives of the people.

(a) That the assertion that free contract prevails as to the letting of land in Ireland, excepting an insignificant minority of cases, is unfounded and unwarrantable, and is disproved by the fact that the whole course of agrarian legislation for Ireland during the last eighteen years, under successive Administrations, has proceeded upon the non-existence of free contracts, and has been directed to compulsory interference with, and curtailment of, the arbitrary powers of evictions and confiscations exercised by the landlords. Furthermore, ever since the inception of the movement known as the Plan of Campaign, the present Tory Government have been obliged to enact a statute for the purpose of breaking over 100,000 additional contracts of tenancy on the ground that they are one-sided and oppressive, and imposed rents which the condition of Irish agriculture rendered destructive to the legal property of tenants in their holding.

(b) That the constitution and the adjudicature of the rent-fixing courts afford inadequate grounds for the statement of the circular that they so reduce excessive rents as to bring them within the limits of equity; since, on the contrary, it is well-known to all concerned that no provision is made by law or afforded by the courts for such reductions in respect of disaster or failure of crops as are supposed by the Holy Office to be made. That, moreover, partisans of the landlords predominate in the constitution of the Courts; that rents continue to be fixed upon improvements made by the tenants in defiance as well of the spirit of the law as of the dictates of justice; that no provision is made for the reduction of arrears of rent now decreed by the Courts to be excessive; that the existence

of these arrears enables many landlords by the threat of eviction to prevent their tenants from applying to the Courts for the reduction of current rents; that many tenants are deterred from entering the Courts by fear of losing in the Court of Appeal, to which the landlords are in every sense allowed to have recourse, more than they would gain by reductions of their rents; and that large classes of tenants are still absolutely shut out from the Courts of Law, and are harassed by their landlords for payment of rents which the landlords had fixed and increased at their pleasure, which have never been reduced, and which the tenant can no longer pay in full without yielding up his subsistence.

(c) With regard to the statement that rent has been extorted from tenants and deposited with unknown persons, we affirm as a matter of common knowledge that, in the combinations formed by the tenants, the moneys deposited by them were freely lodged with persons whom they knew and trusted, to be held as an insurance fund against eviction, and that these moneys are invariably returned without deduction on the request of the tenants.

(d) That as the unjust and cruel exercise of the legal powers of eviction has for generations blighted the lives of the Irish people by depriving them of their homes which their own industry had provided, confiscating the value of their improvements, and banishing them by millions from their country whereby many were led to moral ruin and loss of religious faith, and multitudes of the innocent and helpless underwent dreadful sufferings even to death, by pestilence or famine, and as this legal power of eviction, armed with new facilities by an act passed last year in a Legislature controlled by landlords, is directed at the present moment to the destruction of thousands of families, together with the appropriation of their legal interest in the ownership of the soil, we solemnly declare that the merciless exercise of this power has been and is the one great cause of evil passions, conflict, and crime in Ireland, and that the public feeling, which in some extreme cases has resulted in the denial of social intercourse to those who ruin families by unjust evictions by taking farms so vacated, is a feeling excited in the minds of the people by their love of natural justice and their desire that Christian charity should mould the law of the land and prevail in the relations of life.

2. That we repudiate the assumption on which the circular proceeds—that the status of the Irish farmers is that of mere tenants at will, and assert that not only in equity but in law the dominant interest in the agricultural holdings of Ireland belongs to the tenant by whom the improvements have been executed; and we attribute much of the discontent which now prevails to the disregard of our constant protests against the imposition of rent on these improvements in defiance of the statute which tardily recognized a dual ownership in the soil.

3. That we cannot refrain from expressing our deep regret as Catholics and as Irishmen that the Holy Office is silent as to the

source and provocation of the evils and disorders which afflict the people of Ireland—viz., the subversion of natural justice by those who have obtained, through false promises, the powers of legislation and government, and the scorn of Christian charity manifested by those persons, including Catholics among them, who use a system of calumny to support coercion laws and apply coercive laws to maintain estates.

4. That this silence of the Holy Office as to the violation of justice and charity by which the Irish people are incessantly agitated is, in our judgment, the more to be deplored in the interests of religion and of our national cause because it has enabled the enemies of both to misuse the name of the Holy See by an assumption of its hostility to the political claims of Ireland, and because the direction of the admonition of the Holy Office was not in any way against the systematic violation of justice and charity committed by way of attack upon the homes and prosperity of our people, but wholly against casual and exceptional incidents, as the people's struggle to defend themselves and preserve their national rights may be of untoward consequence at the present time, when priests and representatives of the people who have exerted themselves to restore tranquillity by preventing unjust evictions are suffering imprisonment by the sentences of arbitrary Courts, and their patience has been strained to the point of exaggeration by a course of misgovernment which persistently assails the primary right of the individual to live by the fruit of his labor, and which suppresses, by means of servile tribunals and the use of physical force, those public rights which are the indispensable guarantees of justice.

5. That the demand of the people of Ireland for agrarian reform and political liberty is dictated by necessity, sustained by natural justice, and conducted by the modes of action and methods of the organization prescribed or allowed by the constitution under which we live. That to organization and agitation persistently maintained, and to that alone, the Irish people owe whatever they have won of civil and religious freedom. That their just claims are now encountered by unconstitutional coercion and organized calumny. That the force of this national movement increasing from day to day is a force generated and incessantly renewed by the free opinion and spontaneous action of the people. That this force will continue to be exercised until, despite coercion and defamation, it shall have achieved success.

6. That while unreservedly acknowledging as Catholics the spiritual jurisdiction of the Holy See, we, as guardians in common with our brother Irish representatives of other creeds of those civil liberties which our Catholic forefathers have resolutely defended, feel bound solemnly to reassert that Irish Catholics can recognize no rights in the Holy See to interfere with the Irish people in the management of their political affairs.

Two days later, Sunday, a giant meeting assembled in Phoenix Park. Of the speakers, Mr. W. O'Brien expressed best the inmost feeling of loyal Irish hearts: "God knows I don't desire to stir up harrowing or exasperating thoughts. Far from it. I hail with gratitude and joy the self-control and self-restraint that the Irish people and their representatives have shown, when their hearts were full with anguish and humiliation. Catholics we have lived, and, through weal or woe, with God's help, Catholics we will die. We are no foes of religion here today. We believe that religion is the noblest influence, and that religion with nationality is the glory, and is the illumination of the Celtic race; but it is just because we desire to save the faith of Ireland from the dangers that have wrecked and paralyzed religion in many a continental land—that is why I believe in my soul, that after all the ages of suffering which our people endured for the faith that they were never called upon to give a higher proof of their faith, or do a nobler service to Catholicity than they are called upon today to declare that the sacred name of Rome must be dragged no longer in the mire of Dublin Castle politics." At the close of the speeches, the following resolution was passed by acclamation: "That this meeting of the citizens of Dublin cordially endorses and adopts in their entirety the resolutions of the Irish Catholic members of Parliament in reference to the late circular of the Holy Office of the Inquisition, and respectfully declines to recognize any right in the Holy See to interfere with the Irish People in the management of Irish political affairs."[55] A telegram from Archbishop Walsh, dated the Irish College, Rome, allayed any fears on this score: "It may be useful to assure the Municipal Council of Dublin, in my name, that all apprehensions of political interference of the Holy See in Irish affairs are absolutely groundless. The cause of Ireland has nothing to fear from Leo XIII. Accept my most distinct assurance on this point. Protest, by all means, in the strongest terms against those hostile journals which insult the Holy See by representing the Sovereign Pontiff as a political partisan; but at the same time make it plain that, as Irishmen and Catholics, you are not to be misled by any such device of the enemies either of the nationality or of the faith of Ireland."[56] When Bishop O'Dwyer of Limerick

learned that the action at Dublin was to be repeated by his own people, he wrote to the Mayor, May 25, 1888:

> In view of the public meeting which, I am told, is to be held here on Sunday next in furtherance of the agitation which is being conducted against our Holy Father the Pope, it is my duty to inform you, as I do authoritatively and officially, that the recent decree of the Holy Office, approved and sanctioned as it has been by our Holy Father himself, binds the consciences of those whom it concerns, that it is a grievous sin for any Catholic to disobey it, and a much more grievous sin, under any pretext, to deny the Pope's authority to issue it.
>
> You will observe that the clergy, who understand the binding force of this decree, will take no part in this meeting. As regards obedience to the Supreme Head of the Church, Christ's Vicar, there is no distinction of duty between priests and people, and I am confident that if my dear people of Limerick of whose devotion to their holy faïth I have witnessed all my life long a thousand proofs, understood the case, they would not now be led by any men into a false and uncatholic position.
>
> I have discharged my duty; but I crave your indulgence to make a political remark. It seems a pity for a mere detail of political action, which has never been adopted by the National organization; which the recognized leader of that agitation and Mr. Gladstone have both condemned, to run the risk—nay, incur the certainty of rending the whole Irish nation to its very base at home and abroad.
>
> Plain speaking is necessary here; prevention is better than cure. If we are driven to defend the prerogatives of the Holy See, I trust we shall follow those who before us sustained more grievous persecution than, thank God, our opponents can inflict upon us. Of the result there is no doubt. Leo XIII is Christ's Vicar. His See is the rock of Peter. It is well for people to remember, even with a view to their own interests, God's words, "Whoever shall fall upon this stone shall be broken, but on whomsoever it shall fall it shall grind him to powder."

The Mayor of Limerick, Mr. Francis O'Keefe, M. P., denied that there was any idea of agitating against the Pope. He, therefore, informed Bishop O'Dwyer: "I desire most respectfully to assure your lordship that such is not the object of the meeting, nor am I aware of any agitation in Ireland directed to that particular subject. The meeting of Limerick is one of a series throughout the country, long since directed to be held by the elected representatives of the Irish people, and has only for its object, while yielding in every respect to the Decree of the Holy Office in its abstract validity and binding force, to demonstrate that it was not founded on evidence

sufficient to warrant its issue, and consequently that its terms are not applicable to the abuses alleged to exist in the country. Personally, I rest satisfied that I need not assure your lordship I would not be any party to any demonstration against the Holy See, nor raise any controversy on your opinions in Limerick, the free exercise of which I am sure you will extend to others while maintaining your own." At the meeting, the leading speaker, Mr. O'Brien, M. P., did not refrain from paying his respects to Bishop O'Dwyer:

> We will not forget the reverence due to the sacred character of the Bishop of Limerick, even though I regret to say he has to some extent forgotten it himself.....He has rushed into print at the very moment when his sacred brethren in the Irish Episcopacy are respectfully protesting at Rome.....
>
> He must excuse us if we do not feel altogether overwhelmed by his thunders, when we remember that Archbishop Croke and Archbishop Walsh are included in the sweep of his censures just as much as we.....
>
> Bishop O'Dwyer dares to describe the agitation as an agitation against our Holy Father, and to stigmatise us as opponents and persecutors of the Catholic faith. This is his calumnious assertion. It is a statement as false as ever stained the lips of a man in Dr. O'Dwyer's position.....
>
> The Irish people know where their duty to Ireland ends, and when their duty to Rome begins.....We will keep the sacred person and the august office of Pope Leo XIII high above our troubles and recriminations. But I tell you that, if we value our faith, there must be no mistake, there must be no faltering tone in our declaration that the Irish people will not brook, will not stand this eternal appearance of negotiations with the persecutors and the calumniators of the Irish people; that they will not stand this eternal whispering with the Duke of Norfolk, with the Emlys, the Ross of Blandenburgs, while the most beloved bishops of the Irish people are slighted and exposed to the insults of every Orange whipper-snapper in the land.[57]

This touched the sore spot in the whole situation, in which speeches at times went further than they should have gone despite such warnings as were given also by the Bishop of Cork anent words used against the Holy Father and circulated about him: "They were false, and he knew them to be so.....It would be bad, indeed, for Irish Catholics to believe them, whose faith and devotion were known to the Holy See for centuries, and for whom the Holy Father had the greatest affection. They should not be led astray by these words, nor

be drawn into the use of words disrespectful to the Holy Father, but should always speak of him with respect and veneration, for he was the Vicar of Christ." When the Bishops of Ireland consulted the Holy See as to the exact significance of the Decree of the Holy Office, Archbishop Walsh was directed by the Pope to communicate the official interpretation to them, which the meeting of the Catholic Hierarchy of Ireland, attended by three Archbishops and twenty-four Bishops, at Holy Cross College, Clonliffe, incorporated unanimously in the following resolutions, May 31, 1888:

> 1. In obedience to the commands of the Holy See, and in willing discharge of the duty thus placed upon us, we desire to put on public record that the recent decree of the Holy Office addressed to the Irish hierarchy was intended to affect the domain of morals alone, and in no way to interfere with politics as such in this country.
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> 2. Even this very day we have had from our Holy Father the Pope direct and unequivocal assurances of his deep and paternal interest in the temporal welfare of our country, and that so far from intending by this decree to injure our national movement, it was the hope and purpose of His Holiness to remove those things which he judged might in the long run be obstacles to its advancement and ultimate success.
>
> 3. With these facts thus clearly before us, apart altogether from his numerous titles to our filial affection and respect, we must warn our people against the use of any hasty or irreverent language with reference to the Sovereign Pontiff, or to any of the sacred congregations through which he usually issues his decrees to the faithful.
>
> 4. While expressing our deep and lasting gratitude to the leaders of the national movement for the signal services they have rendered to religion and country, we deem it our duty at the same time to remind them and our flocks, as we most emphatically do, that the Roman Pontiff has an inalienable and Divine right to speak with authority on all questions appertaining to faith and morals.[58]

The masterhand of Archbishop Walsh is evident in the way in which Rome's intervention is placed before the public. When Bishop O'Dwyer of Limerick addressed his synod of the secular and religious clergy, June 11, 1888, he claimed that the whole issue raised by the Decree was definitively settled by Rome against not only "that curious body, the *Conciliabulum* of laymen that sat upon the Pope in Dublin," but also against "the public boards in the country down to the little village branches of the League."[59] Archbishop Walsh knew

better. Interviews for the Press, the recommendation of Leo XIII's personal apology for the conduct of the Holy See in the papal letter, June 24, and replies to addresses of welcome gave the Archbishop plenty of opportunity to deal with the situation which had passed the crisis even before his return to Ireland.[60] The most remarkable of all these was the speech in reply to the address from the Mayor and Corporation of Dublin, July 16, 1888:

> As your address makes special reference to one incident of that troubled time, I do not wish to pass it by without some detailed reference to the matter to which you allude. You speak of the telegram that I sent to you from Rome on the occasion of the special meeting of the Corporation to consider and to endorse the now well-known resolutions of the Catholic members of the Irish Parliamentary Party.
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> As to these resolutions, since I have referred to them at all, let me say that they have, at least in my opinion, been grievously misrepresented and misunderstood. I wish, indeed, I could think that the misrepresentation was, in all cases, the result of misunderstanding, and not, as it unquestionably in some cases was, the outcome of downright malice.
>
> My own knowledge of their import was derived, in the first instance, from one of those gross perversions of Irish news, which so frequently find their way to the continental press through telegraphic agencies now commonly recognized as hostile, no less to the national sentiments than to the religious creed of the great majority of the Irish people. Possibly it is to some extent on this account, and as a natural result of the feeling of relief which I experienced when I had the opportunity of reading the actual text of the resolutions themselves that I have found myself altogether unable to concur in the fierce and even bitter denunciations that I understand have been hurled at the heads of their authors.
>
> One very zealous, but, as I must take the liberty of saying, somewhat over-zealous and altogether self-constituted guardian and defender of that respect which he very properly asserted was due to my office and position in the Irish Church, thought it right to make a rather pointed public allusion to your action in reference to me and to the telegram that I sent you on the occasion of your meeting. Your critic, to whom I refer, took it upon himself to declare that your action upon those resolutions was nothing short of an insult to me. For myself, I can only say that I fail to see it.
>
> As to the resolutions which you endorsed, while of course I cannot say that, as regards their form and phraseology, they were such as I should myself have drawn up, they undoubtedly seemed to me to set forth, so far as their substance was concerned, what I cannot but regard as an honest and an accurate statement of the case of

the Irish tenants, and not only of that case as it stands in itself, but also of the view really taken of it by the Holy See.

I do not now, of course, speak of the expressions, many of them hasty and unguarded, which were used at some of the meetings held throughout the country on the subject of these resolutions. I speak only of the resolutions themselves; I think it worth while to do so, in some detail, even at the cost of inflicting upon you an exposition against the length of which, with all your kindly feeling towards me, your patience may revolt.

Now looking at these resolutions, what do we find the sum and substance of them to be? I take it to be this. They are made up mainly of three protests.

They protest, in the first place, against the action of those who, endeavoring to twist the Decree of the Holy Office to political purposes—"enemies", as the resolution described them "unscrupulous enemies of the Holy See, as well as of the Irish people," unscrupulous in their use of that Decree "as a political weapon to prejudice the Irish cause, to create misunderstanding and estrangement between the Irish people and their spiritual guides, and to increase the dangers which threaten the liberties, and even the very existence of our people." This is the first portion of the Irish members' protest; and so far from finding in it matter of censure, or even of regret, I have no hesitation whatever in saying that I cordially and most unreservedly approve and endorse it.

In another portion of their resolutions the members formally assert the right of Irish Catholics and of the people of Ireland to manage their own political affairs, and to do so free of all external control. This protest has been represented as if it put forward, on the part of the Irish people, a claim which it would be impossible even to suppose that any Christian nation could for a moment entertain the thought of making—the claim that in politics the end should be held to justify the means, and that the political liberties of the nation, or the material interests of its people, could legitimately be advanced by any means that seemed to serve this purpose, utterly regardless of the consideration whether the means in question were or were not in accordance with the law of God. No such preposterous doctrine, I take it upon myself to say, was ever yet laid down by any one who could establish the faintest shadow of a claim to speak for the Irish people. The criticisms, then, that have been directed against the members' resolution on this score fall harmlessly wide of their mark.

There is, in truth, in this portion of the resolutions of the members but one point on which even the most captious critic could fairly lay hold. The resolution seems to contemplate a possible or probable danger of some political interference of the Holy See in the affairs of Ireland. On this point I have already elsewhere clearly spoken. There is no such danger. If I could say so without hurting the feelings of those whose sense of true devotion to the See of Peter I cannot but regard as equal at least to my own, I

would add that even the very suspicion that such a thing was possible should be put, without a moment's hesitation, from the mind of any Irish Catholic who wishes to avoid harbouring a thought manifestly at variance with the respect which, as Irishmen no less than as Catholics, we owe to the Holy See.

Then there is that other portion of the resolutions, in which the representatives of our people protest, and most rightly protest, against the erroneous view presented of the case of the Irish tenants by certain statements of fact to which they refer. Those statements, however, it must ever be borne in mind, are in no sense a portion of the Decree of the Holy Office; they have in no sense been sanctioned by the Holy See; and, within of course the obvious limits of propriety, they are in no way removed from the sphere of respectful criticism.

I can speak, indeed, from my own personal experience, of the extent of the erroneous impressions conveyed by the statements in question. In correcting those statements—correcting them as they did most temperately and most respectfully—the Irish members, in view, to use their own words, "of the responsibility inseparable from their public trust as the constitutionally elected representatives of the Irish people," were not only within their rights, but they acted in fulfilment of a public duty, for the character of the Irish nation was at stake. It was their duty, as representatives of the people, to defend it.

If, as was implied by the statements to which I refer, the rents against the exaction of which the tenants protest, really rested upon the basis of free contract—if, moreover, there were public tribunals awaiting with open doors the claims of the oppressed tenantry for justice and protection—if, in spite of all this, the tenants, on the one hand, refused to pay those fairly contracted debts, and, on the other hand, made mockery of the courts that were only awaiting their demand for intervention to protect them against injustice—if all this were so, then truly the Irish tenants, and with them the Irish members of Parliament, and indeed, I may add, all of us who have expressed our sympathy with the tenants movement—and, as regards at least its broad and general lines, there is not as you know, a Bishop in Ireland who has not done so—if, I say, things were in reality, and without exception, as they were represented to be in the statements against which the resolution of the Irish members was directed, the conclusion would necessarily follow that the tenants, and with them every leading ecclesiastic in the Church of Ireland, were engaged in a wholesale conspiracy, which, in its very essence, was at open variance with the fundamental principles of the moral law. That this is not so, the words of the Sovereign Pontiff, which were read in our churches yesterday, have made abundantly clear. So far from condemning in any way the movement for the protection of the still oppressed tenantry of Ireland, the words of his Holiness for those who are engaged in that movement, are the words of hopeful encouragement.

The reproach, then—a reproach that, I must not forget to notice, found expression in one of the resolutions of the Irish members—that there is any lack of sympathy in Rome for those whose hard lot it is the object of that movement to alleviate—can never more, let us trust, be heard amongst us. There may be a hard struggle yet before you; and before those who, with you, are engaged in striving to obtain for that tenantry the legislative protection which, in spite of so many reforms that have been conceded, is, for so many of them, still withheld. But it is well to bear in mind that, in the closing scene of that struggle, you are in no danger of suffering from the disadvantage of divided or of weakened ranks, and that, please God, we may look forward to witness in the very near future the happy termination of it, a result which, you may take my word for it, will be hailed with no more heartfelt gratification in any spot in Europe than it will be in the Vatican, and from the throne of Leo XIII.[61]

This put the matter much better than Bishop O'Dwyer of Limerick had done. If he saw his mistake, he must have been pleased with the fact that he had already seized the opportunity to conciliate the good will of the people by signing, together with the thirty-one Archbishops, Bishops, Ordinaries, Coadjutors, and Auxiliaries, the following statement on the present position of the Irish Land Question, drawn up and unanimously adopted in their general meeting at the College of Maynooth, June 27th and 28th:

Having become aware from the recent comments of many of the leading organs of public opinion throughout Europe that a widespread misconception still prevails as to the existing state of the land laws in Ireland, we deem it our duty to make the following statement on the subject:

We do not aim at enumerating all the grievances of which the agricultural tenants of Ireland may justly complain. We fully recognize the impossibility of dealing with many of them in the present session of Parliament. But in our opinion there are certain most pressing grievances which, in the interests of public order as well as of justice, imperatively call for immediate legal redress.

I. The fundamental demand of the agricultural tenants of Ireland, in the matter of rent, is, as it has always in substance been, for the establishment of an impartial public tribunal to adjudicate between landlord and tenant. The tenants do not claim that the amount of rent to be paid should be fixed by themselves. What they object to is that it should be determined by the arbitrary will of a landlord.

II. It is unnecessary here to enumerate the special circumstances of the Irish land system which put the justice of the tenants' claim

in this matter beyond question. The principle that Irish agricultural tenants should be protected by law against the imposition of exorbitant rents, has long since been recognized by Parliament. It is the fundamental principle of the Land Act of 1881, and of several subsequent statutes.

III. The present claim of the tenants, then, is for the full and effective application of this principle. Even as regards those classes of agricultural tenants on whom the right of having their rents fixed by public tribunal has been conferred by Acts of Parliament, obstacles have been allowed by the Legislature to remain, which in very many cases practically render those Acts inoperative.

IV. By far the most serious of these obstacles is that which has arisen from the accumulation of the arrears of exorbitant rents. In the present state of the law, tenants weighed down by this burden—and such tenants are to be numbered by the thousands throughout the country—are hopelessly excluded from the possibility of obtaining effective redress through the Courts. The heavy indebtedness of such tenants puts it in the power of a harsh landlord to use the threat of eviction as a means of keeping back the tenant from making any application to the Court; and even in cases, where the intervention of the Court is obtained, the Court, owing to its inability to lessen the debt of the arrears, is powerless to ward off from the tenant the danger of eviction. It has, indeed, jurisdiction to reduce his exorbitant rent. But it has no power to lessen in any way the heavy indebtedness that has come upon him from his inability to pay that exorbitant rent in the past. So long as this indebtedness remains, he is at the mercy of the landlord.

V. Again, there are thousands of tenants throughout the country who have been ousted from the right of having recourse to the Courts by the service of eviction notices which have, in fact, altogether deprived them of their legal status as tenants.

VI. It cannot be allowed in excuse for the continued failure to afford legal protection to the tenants in the cases we have mentioned, and in others unnecessary to enumerate here, that any serious difficulty exists in providing an adequate remedy.

As regards the question of arrears, for instance, it is a fact of public notoriety that at the present moment there is in operation in Scotland an Act of Parliament especially devised to afford protection in this very matter to Scotch tenants.

The actual working of the Scotch Act, to which we refer, is sufficiently disclosed by the facts stated in an official report, recently published by the Commission by which that Act is administered. The reductions judicially granted by the Commission amount to over thirty percent on the rents, and to no less than sixty-one percent on the arrears, in the cases decided by them.

A proposal for the extention of this law to Ireland has been rejected by Parliament during the present session. We are utterly unable to comprehend on what principle a difference of treatment so notably to the disadvantage of Irish tenants can be justified.

> VII. We deem it our duty to add that, unless Parliament at once apply some really effective measure for the protection of Irish tenants from oppressive exactions and from arbitrary eviction, consequences the most disastrous, no less to public order than to the safety of the people, will almost inevitably ensue.[62]

All this shows that Bishop McQuaid was right in his statement at the Home Rule meeting in Rochester, October 23, 1887: "So long as the agitation is carried on in a legitimate and constitutional way, the bishops in Ireland, in America—and we are winning over bishops in Europe and every country in the world, not excepting Italy and the Pope himself—it will have not merely their lukewarm, but hearty sympathy." It is hard to see how the Irish Hierarchy as a whole could have done more than they did in this crisis, and yet Shane Leslie in his *Life of Cardinal Manning* writes: "The Irish Bishops did nothing." They did everything they could do to save the situation for Rome and for Ireland. Their Lenten Pastorals even forestalled the dangers that might under the circumstances, threaten from renewed plottings of secret societies. Thus, Archbishop Walsh himself was most specific in his warning to his flock: "As secret societies are most detrimental to public order, as well as to the best interests of our holy religion, the Roman Pontiffs, Benedict XIV, Pius VII, Leo XII, Pius IX, our present Holy Father Pope Leo XIII, and others, have pronounced sentence of excommunication against their members, and against all who in any way promote the interests of those unholy organizations. Hence, Catholics becoming Freemasons, Ribbonmen, Fenians, Good Templars, or members of any similar secret society, or taking part in their meetings, balls, &c., incur the censures of the Church."[63] To give another example, Bishop Woodlock of Ardagh admonished his people likewise: "There is reason to fear that efforts have been made to take advantage of the present excited state of the public mind to introduce into our midst or spread among us secret societies and principles openly or covertly opposed to the teaching of the Church. Be on your guard, dearly beloved children in Jesus Christ, against the snares of wicked men; and ever bear in mind that good cannot come to you or to our country from any source which is accursed of God. Keep God on your side by faithfully observing His Commandments, and it matters little who is against you; in

the end the rightful cause is sure to triumph. While addressing to you these words of warning, let it not be supposed that the wicked principles or the accursed societies, to which we refer, are widespread among you. Unfortunately they have made some victims; but the vast majority of you, our beloved people, have listened to the words of fatherly love spoken to us, your Bishops, by our great Pontiff, Pope Leo XIII, and communicated to you by us five years ago, and have made his teaching, as is your custom, the rule of your conduct."[64] Whatever attenuating circumstances there might have been in Ireland for the organization and propaganda of secret oath-bound societies, there were none such in America. Nevertheless, these dark forces never failed to take advantage of the situation in Ireland. This made Bishop McQuaid all the more determined to keep watch against the rise of these dangerous elements in his own diocese. He found himself, therefore, again under the necessity of seeking counsel from Bishop Gilmour, March 10, 1888:

> I want to know if the inclosed Constitution of the A. O. H. is the one that finds favor in Cleveland. Has this branch any affiliation with the "Board of Erin," or is it in sympathy with those who are under the direction of the foreign controlling power known as the "Board of Erin?"
>
> Two months ago the pastors of Auburn complacently permitted the organization of this branch in their city without condescending to recognize the existence of the bishop. One of these rectors is a dean, which fact may account for ignoring a superior. However, I cried *Halt* very determinedly until I can judge what had best be done. The failure of the Archbishops to do their duty creates this trouble and keeps up the old diversity of action on the part of bishops. If necessary, I will bring the matter to the attention of Rome.
>
> Please to let me know how the two branches of the A. O. H. now stand in relation to each other.[65]

Bishop Gilmour was unable to give Bishop McQuaid the requested information at once. Accordingly, he wrote, March 23, 1888: "You must wait a little till I see a little farther on about this suit between the two branches of the A. O. H., before I can well answer your request about the condition of the wings. My impression grows that they are not candid or frank."[66] Although Bishop Gilmour promised to write as soon as he could get the information, Bishop McQuaid had to

remind him not to forget the A. O. H. in his letter of April 14, 1889.[67] The problem was not cleared up at the time to the satisfaction of Bishop McQuaid. Meanwhile, the Clan-na-Gael had also given proof of renewed life, although trouble had been brewing in this body that had been divided into two hostile camps. The Chicago Convention in June, 1888, again effected a union and appointed a joint committee to investigate the charges made some years before by Mr. Devoy against the Triangle. One of these three persons, Mr. Alexander Sullivan, bitterly protested against the presence of Dr. Cronin on this committee, which dismissed the charges as groundless by a vote of four to two. Cronin was one of the minority.[68] His awful fate was naturally connected with these doings of the Clan-na-Gael in the verdict of the Coroner's Jury at Chicago, where the tragedy took place:

> We, the undersigned, a jury appointed to make inquiries according to law as to how the body viewed by us came to its death, state as our verdict from the evidence:
>
> 1. That the body is that of Patrick H. Cronin, known as Dr. Cronin.
>
> 2. That his death was not from natural causes, but from violent means.
>
> 3. That said P. H. Cronin was decoyed from home on North Clark Street on the evening of May 4, 1889, by some person or persons, to the cottage known as the Carlson cottage, situated at No. 1872 North Ashland Avenue in Lake View, Cook County, Ill.
>
> 4. That, at said cottage, said Cronin was murdered by being beaten on the head with some blunt instrument or instruments in the hands of some person or persons to us unknown on the night of said May 4th, or between May 4th and May 5th, 1889.
>
> 5. That the body, after said murder was committed, was placed in a trunk and carried to the edge of the water on a wagon by several persons, and by them placed in a catch basin at the corner of Evanston Avenue and Fifty-ninth Street, Lake View, where it was discovered, May 7, 1889.
>
> 6. That the evidence shows conclusively to all minds that the plot or conspiracy was formed by a number of persons for the purpose of murdering the said Cronin and concealing his body. Said plot or conspiracy was deliberately contrived and cruelly executed.
>
> 7. We have carefully inquired into the relations sustained by said Cronin to other persons while alive to ascertain if he had any quarrels or enmities with any person sufficient to cause his murder.
>
> 8. It is our judgment that no other person or persons, except some of those who are or who had been members of a certain secret society known as the United Brotherhood or Clan-Na-Gael, had

cause to be instigators or executors of such plot or conspiracy to murder said Cronin.

9. Many witnesses, testifying in said case, have done so with much unwillingness, and we believe with much mental reservation.

We find from the evidence that a number of persons were parties to the plot and conspiracy to murder the said Cronin, and that Daniel Coughlin, Patrick O'Sullivan, Alexander Sullivan, and one Woodruff, alias Black, were either principals, accessories, or had guilty knowledge of said plot and conspiracy to murder said Cronin and conceal his body, and should be held to answer to the Grand Jury.

We also believe that other persons were engaged in this plot or had guilty knowledge of it and should be apprehended and held to answer to the Grand Jury.

We further state that this plot or conspiracy in its conception and execution is one of the most foul and brutal that has ever come to our knowledge, and we recommend that the proper authorities offer a large reward for the discovery and apprehension of all those engaged in it in any way. We further state that, in our judgment, all secret societies, whose objects are such as the evidence shows that of the Clan-Na-Gael or United Brotherhood to be, are not in harmony with, and are injurious to American institution. We hope that future vigor and vigilance by the police force will more than compensate for past neglect by a portion of the force in this case.[69]

The association of Alexander Sullivan, ex-president of the Irish National League, with this crime by the Coroner's Jury again made Mr. Purcell of the *Union and Advertiser* protest that the Irish Land League or the Irish National League was not connected in any way with the Clan-Na-Gael—"a body of violence and revolutionary methods in direct opposition to the National League." However, Alexander Sullivan could not be held for trial on account of the lack of evidence. At the trial, Coughlin, Burke, and O'Sullivan were found guilty of murder and sentenced to life imprisonment by the jury, December 16, 1889. Kunze, who was found guilty of manslaughter in the case, was sentenced to three years' State Prison. He was later granted a new trial, which, however, was denied to Coughlin, Burke, and O'Sullivan. All this sealed the fate of the Clan-Na-Gael in the editorial comment of Mr. Purcell: "The verdict is a sweeping condemnation of all secret political organization, in which members take oaths, and, surrendering their individual manhood, place themselves under obligations to carry out the behests of others in con-

spiracy against their fellow men, whether or not of their membership."[70] Nevertheless, Bishop McQuaid had occasion to notify Archbishop Corrigan, May 6, 1890, that he was sending him "a few copies of the Ritual of the U. B. (United Brotherhood) affiliated to the I. R. B. (Irish Republican Brotherhood). In America the order is known as the Clan-na-gael. It is reviving after the shock occasioned by the Cronin murder has begun to pass away. Yet nothing is being done. Some priests belong to it. On the 4th of March a celebration was given by the Clan-na-gael in Philadelphia. I intend to send copies of this Ritual to the Bishops of this country, but nothing will come of it, for it might hurt one's popularity to check anything wrong in an Irishman."[71] About two weeks before Bishop McQuaid wrote this letter, Bishop Gilmour had sent him some new material, the *Sun* article on the Clan-na-gael, with the remark: "I will be glad if you return it when you are done with it, as I am keeping files of a good deal about these gentlemen, and this is a valuable link."[72] On Christmas Eve of the same year, Bishop McQuaid informed the Bishop of Cleveland of his intention "to issue a Pastoral before Lent on secret societies. It is time for some one to call a halt! The idea is spreading that no society is forbidden except Freemasonry."[73] A month later Bishop McQuaid asked Archbishop Corrigan: "Where am I to find Rome's decision in the case of the Odd Fellows?" He then feared that "the question of secret societies will not be definitely settled until irreparable damage has come on the Catholic body."[74] A little earlier, January 12, 1891, he had also written Cardinal Gibbons for some information on the Knights of Labor:

> In the letter of Card. Simeoni of Aug. 29, 1888, addressed to your Eminence in relation to your Memorial in favor of the Knights of Labor, we find these words: *juxta ea quae nunc denuo fuerunt proposita societatem Equitum laboris pro nunc tolerari possunt; etc.*
>
> Will your Eminence be pleased to inform me if these conditions for tolerance of the Knights of Labor have been complied with, and where I am to get a copy of the amended Constitution.[75]

The Noble Order of the Knights of Labor had been founded by Uriah Smith Stephens with the organization of the first Assembly in Philadelphia, December 26, 1869, as a

secret society with a ritual, "open and public associations having failed after a struggle of centuries to protect or advance the interests of labor." The members were pledged under solemn oath or affirmation to Secrecy, Obedience, and Mutual Assistance, being "hid from public view, covered by an impenetrable veil of secrecy (not to promote or shield wrong doing) but to shield ourselves and you from persecution and wrong by men in our own sphere and calling, as well as others out of it, when we endeavor to secure the just reward of our toil." After these words of the initiation ceremony, the Master Workman revealed the aims of the Order:

> In using this power of organized effort and co-operation, we but imitate the example of capital heretofore set in numberless instances. In all the multifarious branches of trade capital has its combinations, and whether intended or not, it crushes the manly hopes of labor and tramples poor humanity in the dust. We mean no conflict with legitimate enterprise, no antagonism to necessary capital, but men in their haste and greed, blinded by self interest, overlook the interest of others, and sometimes even violate the rights of those they deem helpless. We mean to uphold the dignity of labor, to affirm the nobility of all who live in accordance with the ordinance of God, "in the sweat of thy brow shalt thou eat bread." We mean to create a healthy public opinion on the subject of labor, (the only creator of values or capital) and the justice of its receiving a full, just share of the values or capital it has created. We shall, with all our strength, support laws made to harmonize the interests of labor and capital, for labor alone gives life and value to capital, and also those laws which tend to lighten the exhaustiveness of toil. We shall use every lawful and honorable means to procure and retain employ for one another, coupled with just and fair remuneration, and should accident or misfortune befall one of our number, render such aid as lies within our power to give, without inquiring his country or his creed; and without approving of general strikes among artisans, yet should it become justly necessary to enjoin an oppressor, we will protect and aid any of our number who thereby may suffer loss, and as opportunity offers, extend a helping hand to all branches of honorable toil. Such is but an epitome of our objects.[76]

The criminal activities of the Molly Maguires aroused opposition to secret labor societies in general, and so changes in the policy of secrecy became inevitable. The Knights of Labor took part in a convention at Tyrone, Pennsylvania, December 28, 1875, at the invitation of the Junior Sons of '76, a "partially secret order" organized in Pittsburg in May,

1874, who wished to consolidate all labor orders into a national organization. The Social Democratic Party was also represented at this convention, where socialism, therefore, made its first appearance as an active participant in the labor movement. With the failure of this effort at consolidation, a policy of centralization gained headway within the Order of the Knights of Labor itself. In the summer of 1876, there were rival conventions at Philadelphia and Pittsburg. The first designated itself for the public as the National Labor League of North America reserving to itself control of the secret ritual that could be modified only by a two-thirds vote. The second resolved to make the name and the objects of the Order public, changed the ritual to enable the Catholic member to reveal anything to his confessor, "if he considers it his duty," and decided in favor of incorporating the Order. Despite these tendencies to split, the central organization of the Knights of Labor was, finally, achieved in the convention at Reading, beginning January 1, 1878. A special convention was then held in June, 1878, at Philadelphia to consider the "expediency of making the name of the Order public, for the purpose of defending it from the fierce assaults and defamation made upon it by Press, Clergy, and Corporate Capital, and to take such further action as shall effectually meet with the GRAVE EMERGENCY." A two-thirds vote could not be mustered to permit the name of the Order to be made public by District or Local Assemblies upon a request made by a two-thirds vote of such body. A referendum membership vote also was against making the name of the Order public, but a majority acted favorably on the question "of making such modification in the initiatory exercises as will tend to remove the opposition of the church." At the suggestion of Thomas P. Crowne and Terence V. Powderly in February, 1878, the Founding Ceremony had changed the solemn oath or affirmation so as to extend the obligation of secrecy "to any person or persons whatsoever, except my Religious Confessor at the Confessional." Further modifications in regard to secrecy were made in the next years. The General Assembly of 1879 decided that a District Assembly, by a two-thirds vote, might make public the name of the Order in its own district. An attempt to carry through the demand against complete secrecy was made in 1880 without success, but in 1881 a vote of 28 to

6 carried the resolution to make the name public throughout the country. The opposition came from those who still believed that "the veil of mystery was more potent for good than the education of the masses in an open organization." However, the Adelphon Kruptos (Secret Brotherhood), the title of the Initiation Ceremony, printed at Toledo, Ohio, as late as 1891, still forbade members from revealing the secret work of the assembly meetings, or from revealing "to any employer or other person the name or person of any one a member of the Order without permission of the member."

The breakdown of secrecy meant a large measure of publicity for the principles and demands of the Knights of Labor, for which, in place of the secret ritual, the preamble of the Constitution, adopted in the Convention at Reading in 1878, had already made ample provision. The Principles declared that wealth, unless checked, "will inevitably lead to pauperization and hopeless degradation of the toiling masses." If toilers are "to enjoy the blessings of life," every department of productive industry must be organized to check the power of wealth and "unjust accumulation." For the Principles declare "moral worth, not wealth, the true standard of individual and national greatness." However, the "action of toilers can only be guided by knowledge of 'the true condition of producing masses.'" The Order, therefore, looks for this from various governments in "the establishment of bureaus of labor statistics." The main remedy for the economic evils of society is the "establishment of co-operative institutions, productive and distributive." A great program of legislative reforms is contemplated in the Preamble which demands: 1. reservation of all lands for actual settlers; 2. "abrogation of all laws that do not bear equally upon capital and labor, removal of unjust technicalities, delays, and discriminations in the administration of justice, and the adopting of measures providing for the health and safety of those engaged in mining, manufacturing, or building pursuits"; 3. a weekly pay law, a mechanics' lien law, a law against child labor under fourteen years of age; 4. abolition of the contract system on national, state and municipal work, and of the system of leasing out convicts; 5. equal pay for equal work for both sexes, and the eight hour day; 6. "the substitution of arbitration for strikes whenever and wherever employers and employees are willing to meet

on equitable grounds"; 7. "a purely national circulating medium, based upon the faith and resources of the nation, and issued directly to the people without the intervention of any system of banking corporations, which money shall be a legal tender in payment of all debts, public or private." The Constitution, following the Preamble, made the General Assembly of the Knights of Labor of North America the "highest tribunal" of the Order with "full and final jurisdiction." Consequently, "it alone possesses the power and authority to make, amend, or repeal the fundamental and general laws and regulations of the Order, to finally decide all controversies arising in the Order, to issue all charters.....It can also tax the members of the Order for its maintenance." District Assemblies were subject to the General Assembly, and Local Assemblies to the District Assembly, but there was no constitutional provision as to the body to which a local assembly owed direct allegiance. Local Assemblies were to be "composed of not less than 10 members, at least three-fourths of whom must be wage-workers; and this proportion shall be maintained for all time." Membership was open to any person over eighteen years of age, "working for wages, or who at any time worked for wages. This last provision later brought in large numbers of farmers, small merchants, and masters. Membership, however, was open "to no person who either sells, or makes his living by the sale of intoxicating drink" and to "no lawyer, doctor, or banker."

The next years, with the exception of 1881, witnessed a vigorous growth of the Knights of Labor. The membership was 9,287 in 1878; 20,151 in 1879; 28,136 in 1880; 19,422 in 1881; 42,517 in 1882; and 51,914 in 1883. The Order counted 104,066 members by July, 1885. Then came the most phenomenal increase, as a year later the membership had reached 702,924. This was evidently due to labor's need of protection against monopoly and to the success won in the Gould Railway strike in 1885. Labor with the help of the Order had threatened to tie up 20,000 miles of railways, and so forced Jay Gould openly to declare for labor organization and the arbitration of all difficulties, with the pledge that he "would always do what was right." Few of the strikes managed by the Knights of Labor were so successful, but then the strike was reinforced by resort to another weapon—the boycott. The

power that had been displayed by the Knights of Labor occasioned the *New York Sun* in the autumn of 1885, to write up the Order in an article which was copied by newspapers and magazines throughout the country. It said in part:

> Five men in this country control the chief interests of five hundred thousand workingmen, and can at any moment take the means of livelihood from two and a half millions of souls. These men compose the executive board of the noble order of the Knights of Labor of America. The ability of the president and cabinet to turn out all the men in the civil service, and to shift from one post to another the duties of the men in the army and navy, is a petty authority compared with that of these five Knights. The authority of the late cardinal (McCloskey), and that of the bishops of the Methodist Church is, narrow and prescribed, so far as material affairs are concerned, in comparison with that of these five rulers.
>
> They can stay the nimble touch of almost every telegraph operator; can shut up most of the mills and factories, and can disable the railroads. They can issue an edict against any manufactured goods so as to make their subjects cease buying them, and the tradesmen stop selling them.
>
> They can array labor against capital, putting labor on the offensive or the defensive, for quiet and stubborn self-protection, or for angry, organized assault, as they will.

While this impressed the public, it was not good for the Knights of Labor themselves to get an exaggerated idea of their power, and so the district master workman of District Assembly 30 wrote in the Philadelphia *Journal of United Labor* of August 10, 1885: "The danger is that in the excess of joy our members may imagine themselves invincible and attempt to force measures that will result in injury to the cause." The next year two striking mistakes of this character were made, the open warfare declared by the Order upon the trades-unions at the Richmond General Assembly, which met October 9, 1886, and sat for two weeks, and the fusion of Knights of Labor, the Socialist Labor Party, the Central Labor Union, etc., etc., into a Labor Party, which put forward as its candidate for the Mayor of New York City the single taxer and land communist, Henry George. He was strongly supported by Dr. McGlynn, and, on the eve of the election, endorsed by Mr. Powderly himself, the head of entire body of the Knights of Labor.[77] These mistakes provoked

hostility just at a time when an attack in Canada upon the Order could not fail to affect their standing in the United States, amongst Catholics at least. A dispatch of August 14, 1886, carried the text of a letter addressed by Cardinal Taschereau to Bishops in Canada:

> On the 13th of May last, I represented to his Eminence, the Cardinal Prefect of the Sacred Congregation of the Propaganda, the divergencies of opinion expressed by the newspapers of Canada and the United States on the subject of the Order of the Knights of Labor, condemned in September, 1884. As it was pretended that the effect of this sentence stood suspended by an appeal, affirmed to have been carried before the Holy See after modification had been made in the constitution of this society, I begged his Eminence, Cardinal Simeoni, to make known with certainty the position of the Church in regard to it. A letter from his Eminence, Cardinal Simeoni, dated the 12th of July, informs me that, on the 27th of June last, the Sacred Office, after re-examination of the question, maintained its judgment of 1884, absolutely in the same terms, which are reproduced in his letter as follows:
>
> "Considering the principles, organization, and rules of this society of the Knights of Labor, as they are set forth, this society must be classed among those which have been condemned according to the instructions of this Supreme Congregation on the 10th of May, 1884, that the bishops be enjoined to proceed as well against this society as against others of the same kind, and to employ the remedies ordered or advised in said instructions."
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> The pretended appeal to the Holy See has long been invoked to create the belief that, pending the final decision, persons could continue to enroll themselves or to remain in the society, provided they were sincerely disposed to obey the final sentence upon the appeal. If that appeal had been really made, it is impossible that the Sacred Office should not have been aware of it, because this matter belongs to its executive resort. Consequently, the decision of the 27th of June, communicated to me by his Eminence Cardinal Simeoni, is in reply to it. The original sentence has been confirmed in its form and tenor. Whereas, in this last decision as in the first, the Holy Office recommends the bishops to proceed against this society in the manner prescribed in its instructions of the 10th of May, 1884, I cannot see that there can any longer be any doubt as to the rule to be followed by the Catholics of the whole world, over whom the jurisdiction of that Sacred Congregation extends.

Representatives of the Press interviewed Archbishop Heis of Milwaukee and Archbishop Corrigan of New York City, but they knew of no such condemnation. Cardinal Gibbons thought that Cardinal Taschereau's hostility was the

result of local conditions amongst the Knights of Labor. He had not thoroughly studied their constitution, but the purposes of the Order were praiseworthy in so far as he could judge of them from newspapers and Mr. Powderly's public utterances. Oaths of secrecy were condemned, if they exacted a blind surrender to the sacrifice of personal liberty, but they were lawful, if they were taken only to keep secret the workings of the organization, provided nothing was done contrary to conscience and religion.[78] When the American Archbishops met in Baltimore the following October, they felt themselves bound to face the question raised by the condemnation in Canada and to look into "the relationship of the Order of the Knights of Labor with secret societies." Mr. Powderly's report of the situation stated:

> It had been represented to the ecclesiastical authorities that the Knights were seeking to revolutionize generally accepted fundamental principles by claiming for labor the right to dictate to capital, and in this manner were seeking to bring into full force popular sovereignty in opposition to private rights; that they were following the example of the French Socialists and arrogating to themselves the right of ordering strikes whenever it suited their purpose, these strikes causing the loss of life and the destruction of private property, and that, should the order prosper with its pernicious principles, it would inevitably lead its members and the working classes generally from insubordination to anarchy and socialism. If the principles of the Knights were ever to prevail among the people, faith and religion would be forever destroyed in our country. Thus spoke the enemies of organized labor.

Cardinal Gibbons invited the Master Workman, Mr. Powderly, to come to Baltimore immediately after the close of the Richmond General Assembly and to give testimony on the Order of the Knights of Labor. Mr. Powderly associated John W. Hayes and Tom O'Reilly with himself in this mission. They gave the following testimony to his Eminence:

> The unifying force of the Order of the Knights of Labor consists in the breadth and purity of the principles inculcated and the cultivation of intellectual, moral, and social happiness. We are like unto a band of brothers engaged in a holy cause which, far from absorbing, would strengthen our love of country, and would intensify, elevate, and ennoble our patriotism. In our Order, composed as it is, of various European nationalities, one of the most gratifying features is the rapidity with which they become assimilated and welded together, forming a united whole, strong and indis-

soluble. A tree is known by its fruits, men by their deeds, and systems by their results. Believing firmly in the righteousness of our cause, we ask your Eminence to examine the records of our Order, and the records of our prominent members, who have for years upheld our principles. It is our hope, as it is our desire, to purge the order of the violent, the element of radical men who want to found a society of atheistic anarchy.

The three Knights of Labor remained long with the Cardinal who looked for full information so as to be able to present the case in detail to the American Archbishops and then to Rome itself. The testimony he had taken from them enabled him even then to pledge a favorable attitude on the part of the authorities of the Catholic Church. Cardinal Gibbons, therefore, said in substance to these three Knights of Labor:

After what we have just heard, the present condition of the Order is to us an unmistakable indication that the control of your organization still rests with the conservative element and is a guarantee that there will be no rash and dangerous departures from those features of its policy which command the forbearance and respect, if not the approval, of the entire country. With prudent leaders and a wise general policy, your vast and rapidly increasing army of wage workers is destined to exert a tremendous influence in the social and political affairs of the country. We now infer that the objects of the Knights of Labor are praiseworthy and in no way opposed to the views of the Catholic Church.

The Catholic prelates will declare in favor of labor; the Catholic Church in America will take the side of the weaker against the stronger. We readily believe that to rescue the toiler from the grasp of the selfish is a work worthy of the noblest and best of our race, and we recognize that it is to the accomplishment of that grand object that the Knights of Labor is bending its every energy. The Church is justly watchful against all secret organizations. There is no need of secrecy where the ends and methods of organization are justifiable, and secrecy raises a presumption that there is something which will not bear the light of the day. The Catholic Church is most visible to all creation, and it instinctively guards against secrecy and concealment.

The Church in all its actions is the protector of those who live by the labor of their hands. The denial of the right of the Church to interfere with her children, when she fears that their course is dangerous to morals, or perilous to the security of society, cannot be sustained in any way, either upon Catholic or Protestant teaching or practice. The testimonies from great Protestant writers show conclusively that the best minds outside of the Church bear

witness that she has ever been the guardian and friend of all men, and that, for the masses in all ages, she has shown the most far-seeing wisdom, joined to the tenderest solicitude.

Organization is the basis of all progress, political, social, and religious. We condemn the work of Anarchists. Like Samson of old, they would fain pull down the edifice of the constitution which shelters them, even though they should perish in the ruins. The man that would endeavor to undermine the laws and institutions of this great country, deserves the fate of those who laid profane hands on the work of the living God. Socialism takes a defiant position beyond the pale of the Church, and announces such an extreme policy that one does not need to hesitate a moment to reach a conclusion as to its merits and influence. It boldly abolishes all religious restraint as fatuous, denounces all extant forms of worship, and goes back to what is called "Nature," and what the world calls Atheism.

We express full faith in the maintenance of friendliness between the Church and the Order so long as you keep free from affiliation with dangerous associations and devote yourselves to the fufilment of your legitimate mission. The Church plays not the tyrant, plants no faith in blood, nor bears destruction on her chariot wheels, but stoops to furnish succor and redress, and builds her grandeur on the public good.[79]

Political developments in the New York City elections were not so reassuring that the Knights of Labor would keep themselves free from socialistic entanglements. Fraternization of the Knights of Labor with the Socialistic Party in the Labor Party, the selection of Henry George as candidate for Mayor, the activities of Dr. McGlynn as campaign speaker, the endorsement of the whole movement by Mr. Powderly himself, all these things roused suspicion at a time when nothing ought to have been done to compromise the cause of labor as represented by the Order. Nevertheless, Cardinal Gibbons more than kept his promise to Mr. Powderly and his associates to explain the purposes of the Order in Rome so as to pledge the organization to the maintenance of lawful and orderly behaviour. February 20, 1887, he presented the following Memorial in behalf of the Knights of Labor to Cardinal Simeoni, Prefect of Propaganda:

In submitting to the Holy See the conclusion which, after several months of attentive observation and reflection, seem to me to sum up the truth concerning the association of the Knights of Labor, I feel profoundly convinced of the vast importance of the consequences attaching to this question, which is but a link in the great

chain of the social problems of our day, and especially of our country.

In treating this question I have been very careful to follow as my constant guide the spirit of the encyclical letters, in which our Holy Father Leo XIII has so admirably set forth the dangers of our times and their remedies, as well as the principles by which we are to recognize associations condemned by the Holy See. Such was also the guide of the Third Plenary Council of Baltimore in its teachings concerning the principles to be followed and the dangers to be shunned by the faithful, either in the choice or in the establishment of those various forms of association towards which the spirit of our popular institutions so strongly impels them. And, considering the evil consequences that might result from a mistake in the treatment of organizations which often count their members by thousands and hundreds of thousands, the Council wisely ordained (n. 225) that, when an association is spread over several dioceses, not even the bishop of one of these dioceses shall condemn it, but shall refer the case to a standing committee consisting of all the archbishops of the United States; and even these are not authorized to condemn, unless their sentence be unanimous; and in case they fail to agree unanimously, then only the supreme tribunal of the Holy See can impose a condemnation; all this in order to avoid error and confusion of discipline.

This committee of the archbishops held a meeting towards the end of last October, at which the Association of the Knights of Labor was specially considered. To this we were not impelled by the request of any of our bishops, for none of them had asked it; and I must add that, among all the bishops, we know of but two or three who desire the condemnation. But our reason was the importance attached to the question by the Holy See itself, and this led us to examine it with all possible care. After our deliberations, the result of which has already been communicated to the Sacred Congregation of the Propaganda, only two out of the twelve archbishops voted for condemnation; and their reasons were powerless to convince the others of either the justice or the prudence of such a condemnation.

In the following considerations, I wish to state in detail the reasons which determined the vote of the majority of the committee—reasons whose truth and force seem to me all the more evident after this lapse of time; nor will I fail to do justice to the arguments advanced on the other side:

1. In the first place, though there may be found in the constitution, laws, and official declarations of the Knights of Labor, things that we would not approve of, still we have failed to find in them those elements so clearly pointed out by the Holy See, which would class them among condemned associations:

(a) In their form of initiation there is no oath.

(b) The obligation to secrecy, by which they keep the knowledge

of their business from enemies or strangers, is not such as to hinder Catholics from manifesting everything to competent ecclesiastical authority, even outside of confession. This has been positively declared to us by their chief officers.

(c) They make no promise of blind obedience. The object and laws of the association are distinctly declared, and the obligation of obedience does not go beyond them.

(d) They not only profess no hostility against religion or the Church, but their declarations are quite to the contrary. The Third Plenary Council commands (n. 254) that condemnation shall not be passed on any association without the previous hearing of its officers or representatives: *"Auditis ducibus, corypheis, vel sociis praecipuis."* Now, their president, when sending me a copy of their constitution, declared that he is a devoted Catholic; that he practices his religion faithfully, and receives the Sacraments regularly; that he belongs to no Masonic Society or other association condemned by the Church; that he knows nothing in the organization contrary to the laws of the Church; that, with filial submission, he begs the pastors of the Church to examine their constitutions and laws, and to point out anything they may find objectionable, promising to see to its correction. Assuredly, there is in all this no hostility to the authority of the Church, but, on the contrary a disposition in every way praiseworthy. After their convention held last year in Richmond, he and several of the principal officers and members, devout Catholics, made similar declarations concerning the action of that convention, the documents of which we expect shortly to receive.

(e) Nor do we find in this organization any hostility to the authority and laws of our country. Not only does nothing of the kind appear in their constitution and laws, but the heads of our civil government treat with respect the cause which such associations represent. The President of the United States told me personally, a few weeks ago, that he then had under consideration a proposed law for the amelioration of certain social grievances, and that he had had a long conversation on these topics with Mr. Powderly, the president of the Knights of Labor. The Congress of the United States, in compliance with the views presented by President Cleveland in his annual message, is at present engaged in framing measures for the improvement of the condition of the laboring classes, in whose complaints they acknowledged that there is a great deal of truth. And our political parties, far from considering them enemies of our country, vie with each other in championing the evident rights of the workingmen, who seek not to resist or to overthrow the laws, but only to obtain just legislation by constitutional and legitimate means.

These considerations, which show that in these associations those elements are not found which the Holy See has condemned, lead us to study, in the second place, the evils which the association contends against and the nature of the conflict.

2. That there exists among us, as in all other countries of the world, grave and threatening social evils, public injustices which call for strong resistance and legal remedy, is a fact which no one dares to deny—a fact already acknowledged by the Congress and the President of the United States. Without entering into the said details of these evils, whose full discussion is not here necessary, I will only mention that monopolies, on the part both of individuals and of corporations have everywhere called forth not only the complaints of our working classes, but also the opposition of public men and legislators; that the efforts of monopolists, not always without success, to control legislation to their own profit, cause serious apprehensions among the disinterested friends of liberty; that the heartless avarice which through greed of gain, pitilessly grinds not only the men, but even the women and children in various employments, makes it clear to all who love humanity and justice that it is not only the right of the laboring classes to protect themselves, but the duty of the whole people to aid them in finding a remedy against the dangers with which both civilization and social order are menaced by avarice, oppression, and corruption.

It would be vain to dispute either the existence of the evils, or the right of legitimate resistance, or the necessity of a remedy. At most, a doubt might be raised about the legitimacy of the form of resistance and of the remedy employed by the Knights of Labor. This then is the next point to be examined.

3. It can hardly be doubted that, for the attainment of any public end, association—the organization of all interested—is the most efficacious means—a means altogether natural and just. This is so evident and, besides, so conformable to the genius of our country, of our essentially popular social condition, that it is unnecessary to insist upon it. It is almost the only means to public attention, to give force to the most legitimate resistance, to add weight to the most just demands.

Now, there already exists an organization which presents innumerable attractions and advantages, but with which our Catholic working men, filially obedient to the Holy See, refuse to unite themselves; this is the Masonic Order, which exists everywhere in our country, which, as Mr. Powderly has expressly pointed out to us, unites employers and employed in a brotherhood very advantageous to the latter, but which numbers in its ranks hardly a single Catholic. Nobly renouncing advantages which the Church and conscience forbid, our working men join associations in no way in conflict with religion, seeking nothing but mutual protection and help, and the legitimate assertion of their rights. Must they here also find themselves threatened with condemnation, hindered from their only means of self-defense?

4. Let us now consider the objections made against this sort of organization:

(a) It is objected that in such organization, Catholics are mixed with Protestants, to the peril of their faith. Naturally, yes; they

JAMES GIBBONS, D. D.
Vicar Apostolic of North Carolina 1868
Bishop of Richmond 1872
Archbishop of Baltimore 1877-1921
Cardinal 1886

(By courtesy of the Catholic Journal)

are mixed with Protestants at their work; for, in a mixed people like ours, the separation of religious creeds in civil affairs is an impossibility. But to suppose that the faith of our Catholics suffers thereby is not to know the Catholic working men of America, who are not like the working men of so many European countries—misguided children, estranged from their Mother the Church, and regarding her with suspicion and dread—but intelligent, well-instructed, and devoted Catholics, ready to give their blood if necessary, as they continually give their hard-earned means, for her support and protection. And, in fact, it is not here a question of Catholics mixed with Protestants, but rather that Protestants are admitted to share in the advantages of an association the majority of whose members and officers are Catholics; and in a country like ours, their exclusion would be simply impossible.

(b) But it is asked, instead of such an organization, could there not be confraternities, in which the working men would be united under the direction of the clergy and the influence of religion? I answer frankly that I do not consider this either possible or necessary in our country. I sincerely admire the efforts of this sort which are made in countries where the working people are led astray by the enemies of religion; but, thanks be to God, that is not our condition. We find that in our country the presence and direct influence of the clergy would not be advisable where our citizens, without distinction of religious belief, come together in regard to their industrial interests alone. Short of that, we have abundant means for making our people faithful Catholics; and simple good sense advises us not to go to extremes.

(c) Again it is objected that, in such organization, Catholics are exposed to the evil influences of the most dangerous associates, even of Atheists, Communists, and Anarchists. That is true; but it is one of those trials which our brave American Catholics are accustomed to meet almost daily, and which they know how to face with good sense and firmness. The press of our country tells us, and the president of the Knights of Labor has related to us, how these violent, aggressive elements have endeavored to control the association, or to inject its poison into its principles; but they also inform us with what determination these machinators have been repulsed and beaten.

The presence among our citizens of those dangerous social elements, which have mostly come from certain countries of Europe, is assuredly for us an occasion of great regret and of vigilant precautions; it is a fact, however, which we have to accept, but which the close union between the Church and her children which exists in our country renders comparatively free from danger. In truth, the only thing, from which we would fear serious danger, would be the cooling of this relationship between the Church and her children; and I know nothing that would be more like to occasion it than imprudent condemnations.

(d) A specially weighty charge is drawn from the outbursts of violence, even to bloodshed, which have accompanied several of the strikes inaugurated by labor organizations. Concerning this three things are to be remarked—*first*, strikes are not an invention of the Knights of Labor, but a means almost everywhere and always resorted to by the working classes to protect themselves against what they consider injustice, and in assertion of what they believe to be their just rights; *secondly*, in such a struggle of the poor and indignant multitudes against hard and obstinate monopoly, outbursts of anger and violence are almost as inevitable as they are greatly to be regretted; *thirdly*, the laws and the chief authorities of the Knights of Labor, far from encouraging violence or the occasion of it, exercise a powerful influence to hinder it, and to retain strikes within the limits of good order and of legitimate action. A careful examination of the acts of violence accompanying the struggle between capital and labor during the last year leaves us convinced that it would be unjust to attribute them to the Association of the Knights of Labor; for this association was but one among the numerous labor organizations that took part in the strikes, and their chief officers used every possible effort, as disinterested witnesses testify, to appease the anger of the multitudes, and to hinder the excesses which, therefore, in my judgment, could not justly be attributed to them. Doubtless, among the Knights of Labor, as among the thousands of other working men, there are to be found passionate, or even wicked men, who have committed inexcusable deeds of violence, and have instigated their associates to the same; but to attribute this to the association would, it seems to me, be as unreasonable as to attribute to the Church the follies or the crimes of her children against which she strives and protests. I repeat that, in such a struggle of the great masses of the people against the mail-clad power which, as it is acknowledged, often refuses them the simple rights of humanity and justice, it is vain to expect that every error and every act of violence can be avoided; and to dream that this struggle can be hindered, or that we can deter the multitudes from organizing, which is their only hope of success, would be to ignore the nature and forces of human society in times like ours. Christian prudence evidently counsels us to hold the hearts of the multitudes by the bonds of love, in order to control their actions by the principles of faith, justice, and charity; to acknowledge frankly what is true and just in their cause, in order to deter them from what is false and criminal, and thus to turn into a legitimate, peaceful, and beneficent contest what might easily, by a course of repulsive severity, become for the masses of our people a dread volcanic force, like unto that which society fears and the Church deplores in Europe.

Upon this point I insist strongly, because, from an intimate acquaintance with the social conditions of our country, I am profoundly convinced that here we are touching upon a subject which

not only concerns the rights of the working classes, who ought to be specially dear to the Church which Our Lord sent forth to preach His Gospel to the poor, but with which are intimately bound up the fundamental interests of the Church and of human society for the future. This is a point which I desire, in a few additional words, to develop more clearly.

5. Whoever meditates upon the ways in which divine Providence is guiding mankind in our days cannot fail to remark how important is the part which the power of the people takes in shaping the events of the present, and which it is evidently destined to take in moulding the destinies of the future. We behold, with profound regret, the efforts of the prince of darkness to make this power dangerous to the social weal by withdrawing the masses of the people from the influence of religion, and impelling them towards the ruinous paths of license and anarchy. Hitherto our country has presented a different spectacle of a most consoling character—that of a popular power regulated by love of good order, respect for religion, by obedience to the authority of laws; not a democracy of license and violence, but that true democracy which aims at the general prosperity through the means of sound principles and good social order.

In order to preserve so desirable a state of things, it is absolutely necessary that religion should continue to possess the affections and this to rule the conduct of the multitudes. As Cardinal Manning has so well written, "a new task is before us. The Church has no longer to deal with Parliaments and princes, but with the masses and with the people. Whether we will or no, this is our work; we need a new spirit and a new law of life." To lose influence over the people would be to lose the future altogether; and it is by the heart, far more than by the understanding, that we must hold and guide this immense power, so mighty either for good or for evil. Among all the glorious titles which the Church's history has deserved for her there is not one which at present gives her so great influence as that of "Friend of the people." Assuredly, in our democratic country, it is this title which wins for the Catholic Church not only the enthusiastic devotedness of the millions of her children, but also the respect and admiration of all our citizens, whatever be their religious belief. It is the power of this title which renders persecution almost an impossibility, and which draws towards our Holy Church the great heart of the American people.

And since it is acknowledged by all that the great questions of the future are not those of war, of commerce, or of finance, but the social questions—the questions which concern the improvement of the condition of the great popular masses, and especially of the working people—it is evidently of supreme importance that the Church should be always found on the side of humanity—of justice towards the multitudes who compose the body of the human family. As the same eminent Cardinal Manning has wisely written: "I know I am treading on a very difficult subject, but I feel confident

of this, that we must face it, and that we must face it calmly, and with a willingness to put labor and the profits of labor second—the moral state and domestic life of the whole working population first. I will not venture to draw up such an act of Parliament further than to lay down this principle.....These things (the present condition of the poor in England) cannot go on; these things ought not to go on. The accumulation of wealth in the land, the piling up of wealth like mountains, in the possession of classes or individuals, cannot go on if the moral conditions of our people are not healed. No commonwealth can rest on such foundations." (Miscellanies, vol. 2, p. 81). In our country, above all, this social amelioration is the inevitable programme of the future, and the position which the Church should hold towards it is surely obvious. She can certainly not favor the extremes to which the poor multitudes are naturally inclined; but, I repeat, she must withhold them from these extremes by the bonds of affection, by the material desire which she will manifest for the concession of all that is just and reasonable in their demands, and by the material blessing which she will bestow upon every legitimate means for improving the condition of the people.

6. Now let us consider for a moment the consequences which would inevitably follow from the contrary course—from a course of want of sympathy for the working class, of suspicion for their aims, of ready condemnation for their methods.

(a) First, there would be evident danger of the Church's losing in popular estimation, her right to be considered the friend of the people. The logic of the popular heart goes swiftly to its conclusions, and this conclusion would be most pernicious both for the people and for the Church. To lose the heart of the people would be a misfortune for which the friendship of the few rich and powerful would be no compensation.

(b) There would be a great danger of rendering hostile to the Church the political power of our country, which has openly taken sides with the millions who are demanding justice and the improvement of their condition. The accusation of being un-American—that is to say, alien—to our national spirit is the most powerful weapon which the enemies of the Church can employ against her. It was this cry which aroused the Know-Nothing persecution thirty years ago, and the same would be used again if the opportunity offered. To appreciate the gravity of this danger, it is well to remark that not only are the rights of the working classes loudly proclaimed by each of our two great political parties, but it is not improbable that, in our approaching national elections, there will be a candidate for the office of President of the United States as the special representative of the popular complaints and demands. Now, to seek to crush by an ecclesiastical condemnation an organization which represents more than 500,000 votes, and which has already so respectable and so universally recognized a place in the

political arena, would, to speak frankly, be considered by the American people as not less ridiculous than rash. To alienate from ourselves the friendship of the people would be to run great risk of losing the respect which the Church has won in the estimation of the American nation, and of forfeiting the peace and prosperity which form so admirable a contrast with her condition in some so-called Catholic countries. Angry utterances have not been wanting of late, and it is well that we should act prudently.

(c) A third danger—and the one which most keenly touches our hearts—is the risk of losing the love of the children of the Church, and of pushing them into an attitude of resistance against their Mother. The world presents no more beautiful spectacle than that of their filial devotedness and obedience; but it is well to recognize that, in our age and in our country obedience cannot be blind. We would greatly deceive ourselves if we expected it. Our Catholic working men sincerely believe that they are only seeking justice, and seeking it by legitimate means. A condemnation would be considered both false and unjust and, therefore, not binding. We might preach to them submission and confidence in the Church's judgment; but these good dispositions could hardly go so far. They love the Church, and they wish to save their souls; but they must also earn their living, and labor is now so organized that, without belonging to the organization, it is almost impossible to earn one's living.

Behold, then, the consequences to be feared. Thousands of the Church's most devoted children, whose affection is her greatest comfort, and whose offerings are her chief support, would consider themselves repulsed by their Mother and would live without practicing their religion. Catholics who have hitherto shunned the secret societies would be sorely tempted to join their ranks. The Holy See, which has constantly received from the Catholics of America proofs of almost unparalleled devotedness, would be considered not as a paternal authority, but as a harsh and unjust power. Surely these are consequences which wisdom and prudence counsel us to avoid.

7. But, besides the dangers that would result from such a condemnation, and the impracticability of putting into effect, it is also very important that we should carefully consider another reason against condemnation, arising from the unstable and transient character of the organization in question. It is frequently remarked by the press and by attentive observers that this special form of association has in it so little permanence that, in its present shape, it is not likely to last many years. Whence it follows that it is not necessary, even if it were just and prudent, to level the solemn condemnations of the Church against so evanescent an object. The social agitation itself will, indeed, last as long as there are social evils to be remedied; but the forms of organization meant for the attainment of this end are naturally provisional and short-lived.

They are also very numerous, for I have already remarked that the Knights of Labor is only one among many labor organizations. To strike, then, at one of these forms would be to commence a war without system and without end; it would be to exhaust the forces of the Church in chasing a crowd of changing and uncertain spectres. The American people beholds with perfect composure and confidence the progress of our social contest, and has not the least fear of not being able to protect itself against any excesses or dangers that may occasionally arise. Hence, to speak with the most profound respect but also with the frankness which duty requires of me, it seems to me that prudence suggests, and that even the dignity of the Church demands, that we should not offer to America an ecclesiastical protection for which she does not ask, and of which she believes that she has no need.

8. In all this discussion I have not at all spoken of Canada, nor of the condemnation concerning the Knights of Labor in Canada; for we would consider it an impertinence on our part to meddle with the ecclesiastical affairs of another country which has a hierarchy of its own, and with whose social conditions we do not pretend to be acquainted. We believe, however, that the circumstances of a people almost entirely Catholic, like that of Lower Canada, must be very different from those of a mixed population like ours; moreover, that the documents submitted to the Holy Office are not the present constitution of the organization in our country, and that we, therefore, ask nothing involving an inconsistency on the part of the Holy See, which passed sentence "localiter et juxta exposita". It is of the United States that we speak, and we trust that we are not presumptuous in believing that we are competent to judge about the state of things in our own country. Now, as I have already indicated, out of seventy-five archbishops and bishops of the United States, there are about five who desire the condemnation of the Knights of Labor, such as they are in our own country; so that our hierarchy are almost unanimous in protesting against such a condemnation. Surely such a fact ought to have great weight in deciding the question. If there are difficulties in the case, it seems to me that the prudence and experience of our bishops and the wise rules of the Third Plenary Council ought to suffice for their solution.

Finally, to sum up all, it seems to me that the Holy See could not decide to condemn an association under the following circumstances:

1. When the condemnation does not seem to be *justified* either by the letter or the spirit of its constitution, its laws, and the declaration of its chiefs.

2. When the condemnation does not seem *necessary*, in view of the transient form of the organization and the social condition of the United States.

3. When it does not seem to be *prudent*, because of the reality of the grievances complained of by the working classes, and their acknowledgment by the American people.

4. When it would be *dangerous* for the reputation of the Church in our democratic country, and might even lead to persecution.

5. When it would probably be *inefficacious*, owing to the general conviction that it would be unjust.

6. When it would be *destructive* instead of beneficial in its effects, impelling the children of the Church to disobey their Mother, and even to enter condemned societies, which they thus far shunned.

7. When it would turn into suspicion and hostility the singular devotedness of our Catholic people towards the Holy See.

8. When it would be regarded as a cruel blow to the authority of the bishops in the United States, who, it is well known, protest against such a condemnation.

Now, I hope that the considerations here presented have sufficiently shown that such would be the condemnation of the Knights of Labor in the United States.

Therefore, I leave the decision of the case, with fullest confidence, to the wisdom and prudence of your Eminence and of the Holy See.[80]

This "forcible public plea for the working classes" was fully appreciated by Mr. Powderly in his report to the next convention of the Knights of Labor at Minneapolis, October 10, 1887, when he publicly stated: "How this prince of the Church fulfilled his covenant made with us and how he championed our cause in the Eternal City, we know full well; and the expression of Pontifical good will for the Order of the Knights of Labor, which came to us last March, was due solely to the earnest and intelligent advocacy of our cause by Cardinal Gibbons. His Eminence knew well how to express and communicate the impulses of his own inspired soul, and our grateful and profound thanks are due him for the extraordinary favors he has bestowed upon our Order in overflowing measure."[81] Cardinal Gibbons' plea was amply supported at Rome by the report made by Mgr. Straniero, the Ablegate from the Holy See at the time of the Archbishop's elevation to the cardinalate, in so far as it touched upon the Knights of Labor question. He wrote, according to a *New York Herald* dispatch:

This is a difficult matter to deal with, not because the question is not plain and distinct, but because people do not take the same view of the subject. It will, therefore, be as well to express as

briefly as possible the opinion of that portion of the episcopate and clergy which embraces not only the majority, but the most learned of the American priesthood. The Knights of Labor is a society composed of about a million workingmen, half of whom, perhaps, belong to the Catholic religion. The society, however, has no political or religious bias. Its object is to guard, in an honest or legal manner, the compensation due the laboring classes for the work they have performed against a despotic proprietor or contractor, and to oppose the injustices that may be committed against these poor sons of labor. This society has but lately sprung up in America. It has been received with favor by the whole working class, and has suddenly developed great strength. There are many, however, who, for reasons not yet sufficiently explained, were very much alarmed at the appearance of this society. They said that its objects were secret and its intentions bad, and, therefore, it should be condemned as a secret society.

Cardinal Taschereau of Quebec, it seems, by a decree of the Holy Office, condemned the association as a secret society, and forbade all Catholics to be Knights of Labor under penalty of being excommunicated by the Church. The American episcopate was generally opposed to such measures, which, though possibly suitable to the Canadian Catholics, might prove unwise when applied to Americans, should it be considered to extend those measures to the United States. The Holy See requested the American episcopate to give its judgment on this important affair. The episcopate met at Baltimore last October and decided to ask the Holy See not to condemn the Knights of Labor, fearing that the result would do more harm than good Therefore, the Knights of Labor in the United States remained untouched, and Mr. Powderly, the Master Workingman, who is a Catholic, will do his best to prevent the society from committing anything against the civil or ecclesiastical law which might be condemned by the Church or the State.[82]

Telling support was also given to the cause of the Knights of Labor by Cardinal Manning, whose words had been cited in Cardinal Gibbons's Memorial, and whose intervention in the case was directly sought by Bishop Keane, then of Richmond. The latter had informed the Cardinal of Westminster, February 28, 1887, that Cardinal Gibbons "had an interview this morning.....with the chief officials of the Holy Office, with most gratifying results. It was easy to see that in his words they felt the weight of the whole Hierarchy, the whole clergy, and the whole people of America, and that his sentiments had already produced among them an evident change of front. A few weeks ago the drift was towards condemnation, regardless of the widespread disastrous consequences

that would inevitably have ensued. Today the keynote was that the convictions of the Bishops of America are the safest guide of the Holy Office in its action on American affairs, and that they will let well enough alone....." Cardinal Manning replied, March 11, 1887:

> I have read with great assent Cardinal Gibbon's document in relation to the Knights of Labor. The Holy See will, I am sure, be convinced by his exposition of the state of the new world. I hope it will open a new field of thought and action. It passes the understanding that officious persons should be listened to rather than church officials. Surely, the Episcopate of the whole world is the most powerful and direct instrument in the hands of the Holy See for gathering correct local knowledge and enforcing its decisions. Who can know the temper of America, England, and Ireland as they who have a finger upon the pulse of the people? Hitherto the world has been governed by dynasties; henceforth the Holy See will have to deal with the people, and it has bishops in close daily and personal contact with the people. The more clearly and fully this is perceived, the stronger will Rome be. Never at any time has the Episcopate been so detached from civic powers and united in itself, and so well able to see, to realize, and to use its powers. Failure to see and use these powers will breed much trouble and mischief.
>
> My thanks are due the Cardinal for letting me share in the argument. If I can find a copy of my lecture on "The Dignity and Rights of Labor", I will send it to him. It will, I think, qualify me for knighthood in the Order. Brentano, some years ago, published books on the guilds, in which he proves that the association of labor and crafts goes back to antiquity, but there is this notable fact: In the English and Teutonic laws they were recognized, favored, and chartered; in the imperial and Latin laws they were rigorously prohibited. We are at this day, as a church, the mother, friend, and protector of the people. As the Lord walked among them, so his Church lives among them. The Cardinal's argument is irresistible.

This letter was soon put into the press dispatches, being also printed in the Rochester *Union and Advertiser,* March 31, 1887. It was also cited with great satisfaction and appreciation by Mr. Powderly in his report to the Minneapolis Convention of the Knights of Labor the following autumn. Cardinal Gibbons himself informed Cardinal Manning, March 14, 1887: "We are indebted more than you are aware to the influence of your name in discussing these social questions and in influencing the public mind. We joyfully adopt your

Eminence into the ranks of our Knighthood; you have nobly won your spurs!" Bishop Keane also wrote him, March 22, 1887: "The clear, strong, wise words of your Eminence's letters will be a bulwark to the truth and a rebuke to mischief-makers. The impression produced here seems to be excellent. Nay, our victory is already won. Cardinal Taschereau has gone home with directions from the Holy Office to grant absolution to all the thousands of poor fellows who have been cut off from the Sacraments by the condemnation in Canada, and there does not seem to be any danger now of a condemnation for America. *Deo gratias!*"[83] In fact, Cardinal Taschereau issued the following letter at Quebec, April 5, 1887:

> In September, 1884, the Holy See, consulted by me on the society of the Knights of Labor, condemned it under pain of grievous sin, and charged the Bishops to deter their diocesans therefrom, as I did in my circular letter (No. 131) of the 2d of February, 1885. After representations made by their Lordships, the Bishops of the United States, the Holy See has suspended, until further orders, the effect of that sentence. In consequence I authorize confessors of the diocese to absolve Knights of Labor on the following conditions, which it is your bounden duty to explain to them, and to make them observe.
>
> 1. That they confess and sincerely repent the grievous sin which they committed by not obeying the Decree of September, 1884.
>
> 2. That they be ready to abandon this society as soon as the Holy See shall ordain it.
>
> 3. That they sincerely and explicitly promise absolutely to avoid all that may either favor Masonic and other condemned societies or violate the laws either of justice, charity, or of the State.
>
> 4. That they abstain from every promise and from every oath by which they would bind themselves either to obey blindly all the orders of the directors of the society or keep absolute secrecy even toward the lawful authorities. (See "Discipline," page 217).
>
> In behalf of these penitents only and by virtue of an indult, I prolong the time of the Paschal Communion until the Feast of Ascension inclusively.[84]

Even after this, Bishop Keane was not so sure of complete victory in the Propaganda. Cardinal Simeoni himself was the doubtful factor there, as Bishop Keane informed Cardinal Manning, April 23, 1887: "He is the embodiment of timid and suspicious conservatism, I explained to him how an advocacy of popular rights was no friendliness to Social-

ism, and that our aim was—recognizing the inevitable tendency to Democracy—not to leave it to be ruled by the devil, but to hold it in the ways of God. He took it all with his gentle smile, which always seems to mean half consent and half fear. He has a mortal dread of newspapers. We can expect from him only the toleration of our ideas. Cardinal Simeoni, and probably others with him, link together the Labor Movement in America and the Home Rule Movement in Ireland; and the dire colours in which poor Ireland is now being painted cast a glare of suspicion upon us too. The times are certainly critical, but we know we are advancing truth and justice."[85] The Propaganda moved slowly, and it was not till August 29, 1888, that Cardinal Simeoni communicated the following decision to Cardinal Gibbons:

> It is my duty to inform your Eminence that the fresh documents relative to the association, known as the Knights of Labor, forwarded to this Sacred Congregation, were examined by it at the sitting of the 16th of August of the current year. After having attentively studied the whole subject, the Sacred Congregation has directed me to reply that, so far as those things that were again proposed are concerned, the association of the Knights of Labor is tolerated for the present, provided there be amended those things that, in the statutes of the association, are said less correctly or may be taken in a bad sense. These modifications are required particularly in passages of the preface to the statutes concerning local assemblies. And then the words, savoring of sociaalism and communism, must be corrected in such a way that they shall only affirm the right conferred by God on man of acquiring property, using legitimate means, and respecting the proportionate rights of all others.
>
> I am most happy to be able to inform your Eminence that the Sacred Congregation has highly approved of your design to see with us that, in this and similar associations, nothing should be secretly introduced which is contrary to justice and morals, or not entirely conformable to the regulations regarding the Masonic sect. Whilst confirming your Eminence in this excellent design, in the name of the Sacred Congregation, I beg you to accept assurances of our respectful and devoted sentiments.[86]

The need of watchfulness appeared towards the beginning of the next year when a circular was sent out from Philadelphia by a number of so-called original members, as the result of a conference at the Indianapolis convention. Trouble in the Order was here traced back to its departure

from the original principles of secrecy. The Socialist Schilling urged the Local Assemblies in United States and Canada to reorganize on the secret plan and capture the Knights of Labor through secret anti-Powderly delegates.[87] In fact, it was through a temporary alliance with the socialist delegates that James R. Sovereign, a farmer editor from Iowa, succeeded in supplanting Powderly for the office of grand master workman in November, 1893, when the national organization of the Knights of Labor had fallen to 74,635. There had been a very rapid fall in the membership after the Order had reached its maximum strength of 700,000 in 1886. It fell to 500,982 in 1887, to 259,578 in 1888, to 220,607 in 1889, and to 100,000 in 1890. Its heritage had passed to the American Federation of Labor.[88] It was after this, in the year 1891, January 12, that Bishop McQuaid asked Cardinal Gibbons whether the "conditions required for tolerance of the Knights of Labor have been complied with, and where I am to get a copy of the amended Constitution." Cardinal Gibbons replied that he had no copy of the Constitution of the Knights of Labor at hand, "that, as the Archbishops of the country were constituted, with the approval of the Holy See, a standing Committee on Societies, that subject is now in their hands." The answer seemed to be an attempt to dodge the issue, and so Bishop McQuaid remarked to Archbishop Corrigan: "He does not advert to the fact that the Holy See has already condemned the K. of L., unless they expunge certain socialistic doctrines from their constitution. Unless, therefore, this expunging has taken place, the condemnation of K. of L. is by an authority higher than that of an American Commission of Archbishops." Bishop McQuaid expressed the intention to push the matter more decidedly,[89] but there is no trace of further correspondence on this subject from his pen with the Cardinal Archbishop of Baltimore, whose efforts in behalf of the Knights of Labor did not meet with the great commendation, usually accorded them, from Bishop McQuaid. This is evident from the question he addressed to Archbishop Corrigan: "How does his Em. feel now about his pets, the Knights of Labor? They are evidently breaking to pieces, and are getting more kicks than kisses. The shoemakers in Rochester find their power gone just as the printers did a short while ago. For the countenance his Em. gave them, he will

have to suffer. He exceeded his instructions and must bear his burden."[90] If the head of the Archbishops' Committee was really at fault by too great officiousness in the case of the Knights of Labor, neglect to act in the case of other societies likewise provoked Bishop McQuaid's wrath, to which he gave expression in writing Archbishop Corrigan, November 26, 1891:

> I will send by mail six copies of the Ritual of the U. B. of the I. R. B. or the Clan-Na-Gael, or the Celtic Club, or any other name they may choose to be known by in the outside world.
>
> I inclose a copy of the St. Louis *Republic*, published at the time of the Cronin murder, containing the amended ritual. Anything more devilish I never read. Yet you Archbishops are afraid to do your duty, and because of your silence souls are being led astray.
>
> The above danger is small in comparison with that which has flowed from opening the flood gates of innumerable secret societies. Now, in some parts of the country, Catholics are flocking into secret oath-bound societies where faith and religion are swamped. There are several sorts of condemned societies. Any society, that is oath-bound and that a Bishop knows to be dangerous to the faith and morals of his diocesans, he can condemn and prohibit in his own diocese. Not only can, but he is bound in conscience to condemn them, the archbishops to the contrary notwithstanding.
>
> It will yet come before Rome that the archbishops use their delegated power to cover up most perilous evils and never take any pains to discover the truth, lest they should learn too much. Ireland, Feehan, and Gibbons rule the roost, and the rest are quiescent.
>
> The secret *conciliabulum* of Archbishops is not known in the Church. Their writing to us on matters outside of the question of secret societies is a piece of impertinence.[91]

Only three days later Bishop McQuaid had additional information which he thought worth while sending to his Metropolitan as proof "that the Clan-na-gael is not a dead body; that it was only held in check for a while by Parnell for his own purposes."[92] The latter had, in fact, passed through a most searching ordeal, in which every effort was made to connect the Parnell movement in Ireland with the crimes of secret, oath-bound societies. The charges preferred in the *Times* articles, entitled "Parnellism and Crime," and investigated minutely by a special commission of three judges, collapsed practically with the forgeries of Parnell letters proved against Pigott. By a settlement outside of court, the

Times agreed to pay Parnell £5000 damages for libel, and so Parnell was personally rehabilitated in public opinion even in England. His glorious career, however, was soon cut short by his appearance as co-respondent in the Divorce Court, where his shameful relations with Mrs. O'Shea discredited him for leadership of the Irish Home Rule party. Nevertheless, he fought to recover his authority until he collapsed, dying of inflammation of the lungs, October 6, 1891. Bishop McQuaid evidently feared that Parnell's removal from power and life would result in a revival of Clan-na-gael activity, and so he wrote Archbishop Corrigan, November 29, 1891:

> This horrible society is divided into two factions, whose principles, however, are the same in both. The more moderate one met in New York last week, presided over by N. N., of Rochester, the head man among them in this city, who finds a complacent confessor and makes sacrilegious communions. The other faction is headed by A. Sullivan of Chicago who shot down in cold blood, in the streets of Chicago, an unarmed man. Archbishop Feehan knows him well, as he dines at the Archbishop's table. Nothing will be done, however, as Gibbons and Ireland will permit no persecution (?) of the Irish.
>
> There is very little difference between the Clan-Na-Gael and the A. O. H.
>
> All these doings will come out one of these days, under the next pontificate perhaps, when the American Archbishops will not appear in a very flattering light.
>
> Some venture to think that, if the German element get the upper hand, we shall get braver and more Catholic legislation.[93]

Archbishops apparently became, to Bishop McQuaid's mind, a source of great danger to the Catholic Church in the United States because of usurped authority "in their private *conciliabula*," as he termed their meetings, and because of failure to act on the one question of secret societies, on which they were commissioned to act. This situation had, in fact, gone from bad to worse. A press dispatch from Baltimore, November 13, 1889, carried the strange item of news that a most radical change had transpired anent secret societies, that the ban of the Church was to be lifted absolutely from every sort of secret society except the Masons, and that even they were to be freed from the ban in twelve months or so according to the expectations of those in the secret. There was no danger of this last, but Cardinal Gibbons had, in fact, written Archbishop Elder, of Cincinnati, March 28, 1889:

In reply to your question, should the Odd Fellows and Knights of Pythias be tolerated by the Church in this country?, I beg to make the following observations:

I think we should be very slow in condemning societies, especially in our age and country where the tendency is so strong toward organization and the intentions of the members are harmless and even praiseworthy. Experience, I believe, has shown that little good and often evil consequences result from the censures of the Church. We lose a hold on the masses; they regard us as unsympathetic and hostile, and they shrink from us. The societies have again and again been condemned in Italy, and yet that country is honeycombed with secret societies.

It is better for us to win their confidence, and then we can succeed in eliminating what is bad or suspicious from their constitutions.

As a practical conclusion, I am in favor of tolerating *ad interim* the Odd Fellows and the Knights of Pythias, with the proviso that the members express themselves ready to abide by any future action of the Church. Meanwhile, a commission of prelates might be appointed to examine the question of the constitution of these societies....."[94]

The next year the Archbishops had their annual meeting in Boston, July, 1890, and the report of its proceedings was bungled by its Secretary so as to give color to the rumor that the Archbishops had declared only the Freemasons to be a forbidden society. This put the same Archbishops, in their meeting at St. Louis, November-December, 1891, under the necessity of reconsidering the question about forbidden societies, and the Secretary, Archbishop Ireland, then had to state in his report of this meeting: "It was generally agreed upon that the wording of the resolution of the previous conference, as reported by the Secretary, was somewhat inexact and did not give the correct mind of the conference.....After further discussion the resolution was passed, that the rules of the Third Plenary Council, regarding societies be adhered to, the resolution of the Boston Conference to be explained as not having altered these rules." Something more specific and concrete was really demanded by the actual situation. For local statistics made it appear that the Odd Fellows and the Knights of Pythias had, in late years, gained a large increase in membership from Catholic ranks on the plea that they were not Freemasons, and, therefore, not a society forbidden by the Catholic Church. This was the case in spite of the

fact, that in 1850 the Odd Fellows, together with the Sons of Temperance, according to a decision of the Holy Inquisition in reply to an inquiry of Bishop Kenrick of Philadelphia, were expressly and nominally included amongst the secret societies forbidden by Pontifical Bulls, although they were not mentioned by name in the Constitution, *Apostolicae Sedis,* that Pius IX issued in October, 1869, to reduce the number of Ecclesiastical censures. It was true that the Knights of Pythias had not then been expressly condemned by the Church, but their own official organs attested that "they put themselves on the same platform with the Freemasons, impose absolute secrecy on their members, use a quasi-religious ceremonial." Archbishop Katzer of Milwaukee, therefore, determined to deal adequately with the concrete situation, and so wrote, first to his own organ, *The Catholic Citizen,* and then to the *American Ecclesiastical Review* (April, 1892), proving that "It is absolutely not true that the Freemasons are the only society forbidden by the Church, and that, consequently, a Catholic may join any other lodge or society, except the Freemasons." He proved this by giving in detail what the Archbishops' meeting of St. Louis only gave in general as the rules of the Third Plenary Council of Baltimore regarding societies. These, according to Archbishop Katzer, plainly enjoin:

1. That all former decrees of the Roman Pontiffs against all societies condemned by the Holy See are to remain in full force, according to the tenor of the Constitution "Apostolicae Sedis" and the meaning of the Roman Pontiffs.

2. That the Freemasons and the Carbonari are excommunicated by name.

3. That all other societies, though not mentioned by name, are excommunicated, if they are of the same nature as the Freemasons and Carbonari, that is, all societies which openly or secretly plot against the Church, or against the lawful government, the State.

4. That all those societies are excommunicated which have their own minister or chaplain, their own (religious) ritual and their own (religious) ceremonies, in such manner as thereby to become a heretic or schismatic sect.

5. That any society which requires its members, be it under oath or otherwise, not to reveal its secrets to any one, not even to the ecclesiastical authority, that is, the bishop; or which demands, be it by oath or by mere promise, from its members a blind and absolute obedience, is forbidden under grievous sin, and that the mem-

bers of such a society cannot be absolved until they actually leave the society or at least promise to do so at once.

6. That the faithful, and especially youth, are to be taught and earnestly admonished carefully to avoid all such societies as in the *judgment of the bishop of their own diocese*, are in any way dangerous to faith and morals; for, as the instruction of the Holy Roman and Universal Inquisition, dated May 10th, 1884, remarks, it is well to be considered that there are still other societies which, though they do not clearly belong to those enumerated above (that is to societies excommunicated or forbidden under mortal sin), are at least doubtful and dangerous. The bishop, whose chief care it must be to preserve the doctrine pure and the morals uncorrupted, must know that it is their duty to deter and keep their flocks away from these societies.

From these decrees, Archbishop Katzer concluded: 1. Besides the Freemasons and Carbonari there are other societies, which, though without express mention of their names, are forbidden by the Church, and which, consequently, no Catholic may join. There are others, and such as are implicitly (not expressly or by name) excommunicated; again, others which are forbidden under mortal sin; and finally others which are full of danger, and let this be well understood, of such danger that the confessor becomes bound to refuse absolution if the danger be not shunned. 2. The Bishop of the diocese has, indeed, a duty in this matter, not only to declare whether a society be allowed, but also to warn against a society when he is convinced that it will injure his flock. Archbishop Katzer maintained that a Bishop, who thus simply fulfils his duty as one of the God-appointed watchmen of Sion, cannot be charged with acting over-zealously or arbitrarily, despite the wise ruling of the Council which forbids any single bishop or archbishop to condemn, by name, a society as excommunicated or forbidden under mortal sin, before an unanimous declaration of all the archbishops, or a Roman decision has pronounced them such. Circumstances seemed really to require action on the part of the body of Archbishops anent these secret societies such as had been taken by the Archbishop of Milwaukee in his individual capacity. At least, this was the firm conviction of Bishop McQuaid, and so more than once did he denounce their conduct in his correspondence. Thus, he wrote Archbishop Corrigan, June 21, 1892: "A dangerous precedent is being introduced into the Church

in America by substituting government by Archbishops instead of by bishops and archbishops. See what a precious mess they have made of the secret society business!" He even tried to force the issue through the press by seizing an opportunity presented by an interview with Mr. Lahiff of the *New York World,* of which he wrote Archbishop Corrigan, June 24, 1892:

> Mr. Lahiff of the N. Y. *World* presented letter and documents. I talked pretty freely to him, as you will read in the World of Saturday.
>
> Some evils are growing which no one seems to have the will to check. Among them are these:
>
> The assumption of the Archbishops to legislate without equality of voice and vote on part of the bishops.
>
> The neglect of the Archbishops to act in the matter of secret societies upon full and adequate study. They are not miraculously gifted with inspiration.
>
> Their attempt to ignore the Baltimore Council on *secret* and *forbidden* societies.
>
> The utterance of extremely liberal and dangerous doctrines by members of the episcopate for the sake of public and popular applause.
>
> Much more might be said. The above will suffice.

This did not push the matter to a settlement, and December 13, 1892, Bishop McQuaid again asked Archbishop Corrigan: "When and how are you going to act on the secret society business? This is a vital matter. If the Archbishops of today are going to unsettle the legislation of their predecessors, as seems to be the case, I don't know what an old fogey like me will have to do except to die. All the bishops of the country have a right to be heard before definitive action is taken. Besides, is it not curious that societies are condemned in Europe, their home, which we approve here? Again, who is to control my conscience when I know beyond doubt that a certain society is more than dangerous to faith and morals, and force me to sanction it against my convictions? A society may be harmless in St. Paul, according to their theories, and very dangerous in Rochester."[95] Bishop McQuaid attributed the whole confusion and difficulty to a few men whom he held responsible for the situation. Again, June 10, 1893, he asked Archbishop Corrigan: "Has any action been taken by the committee of Archbishops in relation to Secret Societies? This

is a question that is pressing. Unless the Lord comes to the help of the Church in America, I do not know what is to be its future. We shall fall lower than the Italian laity, judging by the specimens coming to this country."[96] Nevertheless, somehow or other, Bishop McQuaid settled his doubts as regard the Ancient Order of Hibernians in the course of the next year, as he addressed them at a Solemn High Mass in the Cathedral of Rochester during their Biennial State Convention as follows, June 25, 1894:

> The Ancient Order of Hibernians of America receives the privilege of this public service and a certain recognition by church authorities in this diocese of Rochester for the first time.
>
> It is proper to state on this occasion the ground of objections in the past and the reasons for the change.
>
> Ecclesiastics like myself who remember the early history of this organization, when such prelates as Archbishop Hughes of New York and Archbishop Wood of Philadelphia reprobated and condemned the order, and for good reason, have viewed with distrust and fear any countenance shown to its members until the objectionable features of the old society had been discarded.
>
> These features were its binding oath and its affiliation with some secret oath-bound center of authority in Europe, in Scotland, I believe. Attention was chiefly at one time attracted to the Order by its sympathy with the Mollie Maguires of Pennsylvania—a murderous organization that slaughtered its victims by the dozen and consigned to the scaffold its agents, many of whom had committed the crime, for which they died, by virtue of the oath they had taken. The Hibernians of those days were implicated in the crimes of the Mollie Maguires. It is well for the men of this generation to know and remember these facts. I do not believe that the Order as an Order counseled or sanctioned such crimes, but designing men in the Order used it and its dupes for their own nefarious purposes. What took place in the past may take place again. Hence the need of proper provisions and precautions.
>
> Another society, over which the curse of God seems to hang—the Clan-na-gael—sought to make use of the Hibernians for their purposes. Some of the Clan-na-gael worked their way high into the Order. Fortunately for the Hibernians, they have not been led astray or duped. Yet the presence of members, or ex-members of condemned societies, in the Hibernian organization aroused fear in the minds of many who were disposed to aid a seemingly worthy Order, provided it could be done consistently with the always safe teachings of the Church.
>
> For many reasons, it is not expedient, but rather it is highly dangerous, for an American society to be affiliated with a parent society in any of the European countries. We are well rid of

Europe, and the less we have to do with it the better. But, when the European society is a secret, oath-bound organization, such as the Free Masons, the Carbonari, the Fenians, the Clan-na-gael, etc., our American societies, organized chiefly for mutual aid and benevolent purposes, become smirched by the wrongdoings of their foreign associates, and the evil grows in magnitude. We do not need these European entanglements in political or social life. If Catholic Irishmen may, with impunity and without reproach, become tools in the hands of foreign oath-bound societies, so may Catholic Germans, Catholic Poles, Catholic Italians, with equal impunity ally themselves to foreign oath-bound secret societies. The people who do not like this country and insist upon keeping up unlawful affiliations with the old countries of Europe, would do well to return to the country from which they came.

It does not follow that a European may not retain a tender love for the land of his birth, where he buried the bones of his ancestors; it does not follow that he may not glory in the noble achievements of the fatherland; but it does mean that he should not tie himself, hand and foot, to the secret governing power of any European organization. The Catholic Church cannot afford to sanction any body of her children who ally themselves with any such European body.

A second important objection to the Ancient Order of Hibernians, as first constituted in this country, was the oath of secrecy, by which its members were bound. Such oaths are never manly, are un-American, lower the taker of them in his own estimation, as well as in that of his fellow-citizens, and are a serious danger to government in a republic, whose free and untrammeled vote at the ballot box is its only safety.

I am pleased to say, from representations made to me by members in the Order competent to speak from knowledge and whose words I am warranted in trusting, that in the Ancient Order of Hibernians of America these two objections no longer exist. The obligations, contained in the Ritual of the Order, are not of the nature of an oath, and are such as one could, with a safe conscience, take, and in no way lessen a man's self-respect or degrade his manhood. I am also informed that this section of the Ancient Order of Hibernians has no connection, directly or indirectly, with any society in Europe, but particularly not with a certain one in Scotland. The Scots were canny when they opened their treasury for the receipt of Irish-American money.

It was not my fault that, at the last Plenary Council of Baltimore, these objectionable features in the Ancient Order of Hibernians were not eliminated, and a marked line of distinction drawn between the two parties in the Order. Had it been pleasing to the fathers of the council to give the matter due consideration at that time, the cloud that has hung over the Order would have long passed away. It is to the credit of the right-minded laymen in the Order

that they themselves have removed all obstacles in the way of a satisfactory recognition by church authorities.

You will permit me, I am sure, to proffer some advice that may help your Order and guard against dangers ahead. Much of what I shall say will be only a repetition of what was addressed to another society of Catholic laymen in this same Cathedral two years ago.

Your constitution states specifically the end and purpose of the Order. While you keep to this constitution, you will be safe against all enemies from within and from without. The world is full of other good works and laudable purposes, but you will have to have the courage to hold to your constitution and permit no one and no other good purpose to draw you from that legitimate object of your organization. You will be invited to lend your organization for the building of churches, schools, asylums, hospitals, etc. As individuals, members of parishes, you will have your duty to do the same as other members of the parish, or diocese, but, as members of the Ancient Order of Hibernians, you will have nothing to do except what is prescribed in your constitution. It sometimes happens that societies like yours make a great show of generosity in promises which they strive to fulfill by collecting from the parishes at large. Where the Ancient Order of Hibernians, or the C. M. B. A., or the C. B. L., or similar societies seek to raise money from the community at large by picnics and festivals, they often stand in the way of local charities and come down from the high standard of independent and honorable helpers to the low plane of the necessitous, needing help. When you interfere with the church or charitable work of your neighborhood, you create enemies or lose friends. It will be creditable to a Hibernian to be ranked as one of the most charitable in a parish; he cannot afford to run around and ask charity for himself or his order. The constitution will safeguard under all circumstances and will protect you from quixotic enthusiastics.

Beware of scheming politicians. You belong to no party as Hibernians, while Hibernians are in both parties. It is a great temptation to any one with political aspirations to make friends with so numerous a body of voters. But the constitution, steadfastly adhered to, will be your protection. Let no man use your organization as a stepping-stone for his own advancement; as Hibernians, you belong to no party.

As loyal children of the church, you will always give heed to her words of warning, confident that she will put no more restraint on your conduct as Christians and citizens than the interests of faith and morals may demand. She wants her children to be men, high-minded, industrious, and sober men. A great future is before the Irish race in this country; it will rest with themselves to realize all that their best friends crave for them. Too often an Irishman's

worst enemy is himself. It is a part of the work of this Order to help elevate the character of its individual members.

No one questions the loyalty of the Irishmen to the country of his adoption. There is no war of battles now impending, but the strifes of other kinds will arise from time to time. An Irishman's place will be on the side of law and order. Your constitution demands that its members oppose socialism, anarchy, and what disturbs the public peace.

Yours is not a church society, and you cannot, therefore, expect the same church privileges which are accorded to church societies. But as Catholics, in your individual capacity, you should take pride in upholding the honor of your Church, stand by her in all her struggles, be among the most faithful in the performance of religious duties, win the approval of your pastors by generous co-operation with them in all good works, and be slow to find fault and criticize.

Remember that a generation or two from now the Irish race in this country, with its mighty number of millions, will not be Irishmen born, but the sons and grandsons of the men born in the old land. Your sons and grandsons will be the men to reflect credit or disgrace on the Irish people.

I speak to you as an old man. My parents came to this country years ago. I have lived for seventy-one years and have always been proud of being an American. Your sons should grow up with the love of their native country. While the best emotions of their souls will go out to the old land, yet it must always be second.

Let there be no sneering criticism of the coming generation because they have new ideas, and are not just as their fathers were. Rather encourage and aid them, and so bring them into the Church.[97]

Although the A. O. H. issue was thus finally settled in their favor as far as Bishop McQuaid was concerned, the Archbishops even then still failed to settle the question of secret societies. Bishop McQuaid, therefore, remarked, November 7, 1894: "We are not interested in the doings of the Archbishops at their annual meetings outside the question of secret societies. As the question did not come up, the sending of a report to us was labor lost. It is about time for us bishops to begin to hold annual meetings and have a banquet."[98] Such a change was finally effected, but fully ten years after the death of Bishop McQuaid. Thus, April 10, 1919, the Holy Father Benedict XV wrote the Hierarchy of the United States of America: "You have unanimously resolved that a yearly meeting of all the bishops shall be held at an appointed place, in order to adopt the most suitable means of promoting

the interests and welfare of the Catholic Church, and that you have appointed from among the bishops two commissions, one of which will deal with social questions, while the other will study educational problems, and both will report to their Episcopal brethren. This is truly a worthy resolve, and with the utmost satisfaction We bestow upon it Our approval."[99] However, there was no thought of this in minds of the Archbishops in 1894. If they still refused to act in the question of Secret Societies, the Holy See itself, finally, intervened to the great satisfaction of Bishop McQuaid, to which he gave expression in his letter to Archbishop Corrigan, December 12, 1894:

> I am much pleased with the decision of the Holy See in relation to the condemnation of the secret societies, viz., Odd Fellows, Knights of Pythias and Sons of Temperance.
>
> There will be no difficulty in the diocese of Rochester about the enforcement of this decision. The decrees of the Baltimore Council covered these cases very clearly, and it was held almost universally by our people that the Church did not approve of them until after that meeting of Archbishops in Boston, when Archbishop Ireland gave out that these societies were no longer under the ban of the Church. Whereupon, many Catholics, in the Western dioceses chiefly, joined them. As I did not consider that Archbishop Ireland had powers to nullify the Baltimore Council and the rule maintained by the American Bishops for so many years, I paid no attention to his *ipse dixit*, and observed the old discipline, to which the Holy See now imparts its sanction.
>
> As soon as our Catholic people learn what the decision of Rome is, they will withdraw from these forbidden societies, with the exception of a few who are already more Protestant than Catholic. What the Church now needs to consider above all is the spiritual welfare of those not as yet entangled in the toils of secret societies. Once they join them, their faith and the practice of their religion grow weak, and after a while they fall away from their religion altogether.
>
> The above remarks express my judgment with regard to the late condemnation of the above mentioned societies by the Holy See.

Bishop McQuaid sent this letter by itself to give Archbishop Corrigan a chance of forwarding it to Rome, if he wished to do so.[100] In his own diocese, Bishop McQuaid "only notified the priests of the receipt of the decree. They have never had faculties to absolve members of these societies, and, therefore, there was little need of a more public publica-

tion of the decree." Later, however, a reason developed, making advisable its publication "to obviate cavilling." For, "it looked at one time as though there would be some modification of the decree, condemning certain secret societies, that would nullify the effect of it. The publicity given to the views of liberal bishops will encourage many weak Catholics to remain members of lodges highly esteemed by Gibbons, Satolli, Ireland, and Kain of St. Louis."[101] In fact, Bishop McQuaid felt that "the clipping from the *Church Progress* ought to be sent to all the Cardinals, for Kain's comments completely nullify the decree itself."[102] Rome made this impossible, but the delayed publication of the original text of the decree of condemnation gave plenty of opportunity to loose talk and writing. In the text itself, Cardinal Monaco, August 20, 1894, recalled to the mind of the Apostolic Delegate, Mgr. Satolli, that the Archbishops of the United States had discussed the question of the three Societies, called Odd Fellows, Sons of Temperance, and Knights of Pythias, in their meetings, and had concluded unanimously to defer the whole matter to the Apostolic See for judgment. The Holy Father had then commissioned the Holy Inquisition to examine the question, and, June 20, 1894, the Cardinal Inquisitor Generals had confirmed the former decrees on these Societies, declaring: "There is to be the utmost endeavor on the part of all ordinaries throughout those parts to keep out of the three aforesaid societies the faithful, who are to be admonished of this matter; and if they still wish to belong to the said societies after receiving this admonition and are unwilling actually to leave them, they are to be deprived of the reception of the sacraments." After the Holy Father had approved this decree, Cardinal Monaco, August 20, 1894, communicated it to the Apostolic Delegate to have him make it known to Ordinaries in the United States, where they were to put it into execution for the good of souls.[103] A year later, August 13, 1895, instructions were received at the Apostolic Delegation, according to which "the condemnation was to be considered absolute, and whenever peculiar circumstances seemed to merit special consideration in particular cases, the matter was to be referred by the Ordinary to Rome." Mgr. D. Sbaretti, Auditor of the Apostolic Delegation and Pro-Delegate, published this in a letter February 13, 1896, for the information of the Ordi-

naries and clergy.[104] Now, a number of prelates asked Rome whether it was at least lawful for a member to keep his name on the books by payment of dues, etc., or assessments for the sake of sick-benefit, etc., without any further participation in these societies forbidden because of intrinsic depravity. The Holy Father again confided the question to the Holy Inquisition, this congregation decided to tolerate such membership on the following conditions, if they obtained simultaneously: It was required: 1. That the member gave his name to the sect in good faith before he knew that the society was condemned; 2. That there be no scandal, or that scandal be removed by an opportune declaration that this is done by him not to lose the benefits or the advantage of time in payments made to the treasury, and that he abstain meanwhile from all communion with the sect and also from material intervention; 3. That grievous damage to himself or family arise from renunciation; 4. Finally, that there be no perversion either for the man or for his family from fellow-members, especially in view of the case of either sickness or of death; furthermore that there be likewise no danger of the holding of a funeral alien to Catholic rites. The Holy Father approved all this in entirety, but, for the sake of uniformity, he required the Apostolic Delegate and his successors to provide for the fulfilment of all contained in these statutes in particular cases.[105] Even now a difference of interpretation arose. The *American Catholic Quarterly Review*, October 1896, maintained against Father Sabetti that the words, "particular cases", were "generally interpreted to mean in cases where there existed a doubt as to the application of the four conditions demanded by the Holy See." Father Sabetti admitted that he had substituted *singulis* for *particularibus*, but he "did so precisely in order to make the meaning of the document clearer, not to change it; for I well knew that in an English-speaking country the Latin "particularibus" would naturally and obviously enough be translated into the English particular instead of individual, which is the one really intended in the Decree." Father Sabetti knew this, "not only because I was told so explicitly at the Apostolic Delegation, where I consulted before going into print, but also because otherwise the uniformity, which, in this matter, is so earnestly sought for, would be utterly impossible." Finally, the Apostolic Delegate himself, wrote the

Editor of the *American Catholic Quarterly*, November 10, 1896:

> My attention has been called to the criticism of Father Sabetti's "Moral Theology" in the last number of the *Quarterly*. I desire to say that Father Sabetti is right regarding the necessity of applying to this Delegation in every case for the permission to remain an associate member of the forbidden societies, and your critic is wrong. With regard to the hour of death of the penitent, every confessor must surely know that in such cases absolution is given after the penitent promises to apply to the proper authority for the permission in case he should recover his health and live.[106]

This closed every loophole of escape from the condemnation of these societies. Nevertheless, Bishop McQuaid did not lessen his watchfulness, and the very next year hostility to secret societies moved Bishop McQuaid to take action in regard to the Knights of Columbus, with whom he never entered into cordial relations. He found some of their doings so objectionable that he denounced them at the close of his diocesan priests' retreat toward the end of the summer, as he informed Archbishop Corrigan, September 20, 1897:

> In a word, all the forms and tomfoolery of the Masons and Odd Fellows are imitated by these Catholic Knights, thus familiarizing the rising generation with their dangerous customs and ways.
>
> My priests, who had joined the organization, requested me to withhold all public action until they could see the leaders and effect a change quietly. This I agreed to do. Mr. Delaney of N. Y. came to see me. He promised to lay all their methods and work before you, Archbishop Williams, and Bishop Farley. You might include B. McDonnell and Archbp. Ryan in the consultation. The present gentlemen mean well, but the next generation might not equal them in their Catholicity. The objectionable features ought to be removed without delay.
>
> Should the change not take place within a reasonable time, I will request all my priests to withdraw and bring all my influence to bear against the organization, for I foresee great danger in the future.[107]

If there were any excrescences that needed to be cut off at that time, the Knights of Columbus fortunately survived the operation to become, in a measure, the right arm of the American Catholic Church in the World War to minister to soldier wants in many things.

NOTES

Book IV, Chapter XVI

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5. Conc. Plen. Balt. II. Acta et Decreta. p. clii sqq.
6. Archbp. McCloskey to Archbp. Spalding, Feb. 21, 1868: as No. 4.
7. Ex Actis Consistorialibus (1868) Acta S. Sedis. III, p. 551 sq.
8. Bp. Bayley, Newark Diocese Register. p. 172: Seton Hall College.
9. Rochester Union & Adv. July 17, 1868.
10. Bp. McQuaid, Sermon in Hist. Cath. Ch. in Paterson, N. J. (1883) p. 76.
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12. Bp. McQuaid to Dr. Corrigan, July 18, 1868. Bps. to M. A. C. 1865-1883. N. Y. Archdioc. Archives. Dunwoodie.
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16. Bp. McQuaid to Archbp. Spalding, Jan. 2, 1869. File No. 36. A. Supplement. Ibid.
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24. Bp. McQuaid to Archbp. McCloskey. Apr. 10, 1869. Ibid.
25. Ibid.
26. Original in my possession.
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28. Bp. McQuaid, Sermon, St. Mary's Ch., Feb. 28, 1869. (Official Reporter) in Roch. Union & Adv. March 2, 1869.
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30. As No. 28.
31. O'Flaherty's Card: text in Roch. Union & Adv. March 2, 1869.
32. As No. 28.
33. Bp. McQuaid to Archbp. McCloskey. File Metropolitan. N. Y. Archdioc. Archives. Archbp.'s House.
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35. Ibid. Feb. 25, 1869: From Auburn Morning News.
36. As No. 28.
37. Roch. Union & Adv. Feb. 27, 1869: From Auburn Morning News.
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Book IV, Chapter XVI

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40. Roch. Union & Adv. Apr. 13, 1869.
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44. Roch. Union & Adv. March 11, 1869: Auburn Morning News.
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Book IV, Chapter XVII

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16. Manning, The Vatican Council, p. 37.
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Book IV, Chapter XVII

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BOOK IV, CHAPTER XVIII

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40. Ibid. Bishop McQuaid to Editor of Democrat & Chronicle, March 22, 1872.
41. Ibid, Aug. 5, 1872.
42. Ibid. May 26, 1874.
43. Ibid. March 1, 1875.
44. Ibid. June 8, 1875.
45. The Public Schools of Rochester, 1875. Superintendent's Report. p. 56 sqq.
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53. Ibid. p. 124.
54. Ibid. p. 93.
55. Ibid.
56. Ibid. p. 95.
57. Ibid. p. 118.
58. Ibid. p. 129.
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62. As No. 22.

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5. Same to same, June 2, 1877: Ibid.
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BOOK IV, CHAPTER XX

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11. Same to same, Jan. 14, 1881: Ibid.
12. Same to same, May 14, 1883: Ibid., cf. also Ms. Hist. of St. Patrick's Parish. p. 22.
13. Same to same. May 14, 1883: Ibid.
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15. As No. 13.
16. Ms. Hist. of St. Patrick's Parish, p. 23 sq.
17. Ibid. pp. 24-28; also pamphlet Report of the Secretaries of St. Patrick's Cathedral Debt Association for the Year Ending May 1, 1883, and Report of the Committee on the Liquidation of the Indebtedness of the Cathedral of Rochester, July 1883. James F. O'Hare, Rector.
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20. Same to same, March 15, 1878. As No. 2.
21. Same to same, April 8, 1878. As No. 2.
22. Same to same, June 27, 1878. As No. 2.
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9. Union and Advertiser, Nov. 26, 1878.
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16. Apr. 12, 1885: Ibid.
17. Letters to Cardinal Gibbons. No. 46 C. Balt. Cath. Archives.
18. Bp. Corrigan to Archbp. Gibbons, Jan. 4, 1879: Ibid.
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21. As No. 1.
22. Feb. 3, 1881. Cleveland Archives No. 4. No. A. Bishops from 1872 to 1888.
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27. N. Y. Freeman's Journal, March 8, 1879.
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7. Apr. 27, 1881: as in No. 4.
8. Bp. McQuaid to Abp. Corrigan, Apr. 24, 1881 as in No. 2.
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10. As in No. 2.
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12. May 29, 1881, as in No. 2.
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24. Same to same: as in No. 2.
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12. Un. & Adv. Jan. 2, 1880.
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14. Ibid. Jan. 27, 1880.
15. Ibid. Jan. 30, 1880.
16. As in No. 7.
17. Ibid.
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19. As in No. 7.
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BOOK V, CHAPTER XXIV

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35. Un. & Adv. July 1, 1882, Apr. 16, 1883, &c. &c.
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44. Weekly Register, Apr. 16, 1881.
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47. Weekly Register, Apr. 30, 1881.
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63. Un. & Adv. Dec. 5, 1881.
64. Dem. & Chron. Dec. 19, 1881.
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3. N. Y. Archdioc. Archives: File, Letters from Abp. Hughes; Dunwoodie.
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5. Leonis XIII Acta. III, 129 sq. 187 sq.
6. Acta S. Sedis, XV, p. 512.
7. Un. & Adv. June 13; Dec. 31, 1883.
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16. Ibid. p. xxiv; xxxiv.
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26. Acta et Decreta Conc. Plen. Balt. III, p. 212 sqq.
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33. Private Acta et Decreta. Conc. Plen. Balt. III, p. xxix ad num. 18; Congregat. Prima Privata, Nov. 10; Public Acta et Decreta, p. 11, No. 14.
34. Private Acta et Decreta &c. p. lii; Congregat. 13 Privata, Nov. 24; Public Acta et Decreta &c. p. 12, No. 15.
35. Private Acta et Decreta &c. p. Congregat. 4 Privata Nov. 14 ad num. 23.
36. Public Acta et Decreta. p. 15 sq. No. 20; cf. Decret. De Alienatione Bonorum Eccles. Sept. 25, 1885. Ibid. p. ciii.
37. Private Acta et Decreta &c. p. xl-xlii: Congregat. 8 Privata: Nov. 18; Public Acta et Decreta p. 22. No. 35.
38. Private Acta et Decreta &c. p. lxxxviii sq: Congregat. 26 Priv. Dec. 4; ibid. p. xci; ibid. p. xcviii: Congregat. 31 Priv. Dec. 6; Public Acta et Decreta. pp. 170 sq. Nos. 297-298.
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41. Pivate Acta et Decreta &c. p. liii: Nov. 24.
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43. Ibid. p. lix: Congregat. 16 Priv. Nov. 26.
44. Bp. McQuaid, Patoral on Seminary Collection. Aug. 20, 1882.
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BOOK V, CHAPTER XXV

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49. Private Acta &c. p. lxiv: Congreg. 18 Priv. Nov. 28; Public Acta &c. p. 104 No. 199.
50. As in No. 46.
51. Private Acta &c., p. lxviii: Congregat. 19 Priv. Nov. 29; Public Acta &c. p. 114, No. 213.
52. Private Acta &c. p. xcix: Congregat. 31 Priv. Dec. 6; Public Acta &c. p. 119 sq. No. 219.
53. Private Acta &c. p. lxx: Congregat. 20 Priv. Nov. 29 P. M.; Public Acta &c. p. 126: No. 227; p. 129: No. 231.
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55. Letters to Cardinal Gibbons. No. 55. Mc. Balt. Cathedral Archives.
56. As in No. 54.
57. Private Acta &c. p. lxxxvi: Congregat. 25 Priv. Dec. 3 P. M.; Public Acta &c. p. 167: No. 290.
58. Private Acta &c. pp. lxxi-lxxii: Congregat. 21 Priv. Dec. 1; p. xcii: Congregat. 27, Priv. Dec. 4; Public Acta &c. p. 131: No. 233; p. 131: No. 234; p. 132: No. 235, No. 236.
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60. Private Acta &c. p. lxxviii: Congregat. 22 Priv. Dec. 1 P. M.
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69. Caecilia, Aug. 1888.
70. As No. 54.

BOOK V, CHAPTER XXVI

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4. Baltimore Cathedral Archives Letters to Card. Gibbons, No. 50 G.
5. Ibid. Letterbooks of Archbishops Spalding and Gibbons.
6. March 26, 1885. As in No. 1.
7. As in No. 1.
8. As in No. 1.
9. As in No. 3.
10. Bp. Gilmour to Bp. McQuaid, Apr. 14, 1885. As in No. 3.
11. Bp. McQuaid to Bp. Gilmour, Apr. 15, 1886: Cleveland Dioc. Archives No. 4. No. 8 Bishops.
12. As in No. 3.
13. As in No. 1.
14. As in No. 1.
15. As in No. 3.
16. Cleveland Dioc. Archives: Copies of Original Letters by Bp. Gilmour himself.
17. Private Acta et Decreta III Con. Balt. Plen. p. lxxxii: Congregat. Priv. 23, Dec. 2, 1884.
18. As in No. 3.
19. As in No. 1.
20. Nov. 2, 1885: As in No. 1.
21. As in No. 3.
22. As in No. 1.
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24. As in No. 1.
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29. Cf. Litt. Indic.: Statuta Dioc. in Synodo Roff. II, p. 4.

BOOK V, CHAPTER XXVII

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3. Ibid.
4. Ibid. Bp. McQuaid to Bp. Gilmour Feb. 9, 1886.
5. Same to Abp. Corrigan, March 9, 1886. N. Y. Archdioc. Archives. Bps. & Dignitaries, 1886-1887. Dunwoodie Seminary.
6. Same to Bp. Gilmour, March 8, 1886. As in No. 1. Same to Abp. Corrigan, Jan. 18, 22; Feb. 24; March 15, 1886. As in No. 5.
7. Bps. & Dignitaries, 1886-1887: N. Y. Archdioc. Archives. Dunwoodie.
8. As in No. 1.
9. As in No. 1.
10. As in No. 7.
11. As in No. 7.
12. As in No. 1.
13. Apr. 19, 1886: As in No. 1.
14. As in No. 1. July 26, 1886.
15. Acta & Decreta Concil. Neo-Eboracensis IV, Appendix. p. 86 sq.
16. As in No. 7.
17. As in No. 1.
18. Aug. 2, 1886. As in No. 1.
19. As in No. 15. Appendix p. 85 sq.
20. As in No. 7.
21. As in No. 7.
22. Bps. & Dignitaries, 1889-1890: N. Y. Archdioc. Archives. Dunwoodie.
23. Ibid.
24. Original draft in my possession.
25. Bps. to M. A. C. 1865-1883. N. Y. Archdioc. Archives. Dunwoodie.
26. Original in my possession.
27. Original draft in my possession.
28. As in No. 1.
29. Bp. McQuaid to Bp. Gilmour, Jan. 11, 1885. As in No. 1.
30. As in No. 7.
31. Bp. McQuaid to Abp. Corrigan, Jan. 22, 1886. As in No. 7.
32. As in No. 7.
33. Bp. McQuaid to Abp. Corrigan, Feb. 24, 1886. As in No. 7.
34. As in No. 7.
35. As in No. 7.
36. As in No. 7.
37. Bp. McQuaid to Abp. Corrigan, Apr. 12, 1886. As in No. 7.
38. As in No. 7.
39. As in No. 7.
40. Bishop McQuaid to Bp. Gilmour, Aug. 2, 1886. As in No. 1.
41. As in No. 7.
42. As in No. 7.
43. Nov. 20, 1887: As in No. 7.
44. As in No. 1.
45. As in No. 22.
46. As in No. 22.: Jan. 9, 1888.
47. As in No. 22.
48. As in No. 22.
49. Jan. 4, 1888. As in No. 22.
50. Original draft in my possession.
51. Bp. McQuaid to Abp. Corrigan, Jan. 9, 1888. As in No. 22.
52. As in No. 22.
53. Copy in my possession (Lambert Documents).
54. As in No. 22.
55. Rochester Un. & Adv. May 26, 1890.
56. Ibid. Dec. 27, 1894.
57. As in No. 22.
58. As in No. 56.

BOOK V, CHAPTER XXVIII

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2. N. Y. Archdioc. Archives. Dunwoodie.
3. Bp. McQuaid to Abp. Corrigan, March 25, 1886. As in No. 1.
4. Cleveland Diocesan Archives, No. 4 No. A Bishops From 1872-1888.
5. As in No. 3.
6. March 27, 1886: As in No. 4.
7. Bp. Gilmour to Bp. McQuaid, March 30, 1886: Letters Vol. 5: Oct. 3, '84 to Jan. 11, '87. Cleveland Dioc. Archives.
8. Bp. McQuaid to Abp. Corrigan, Apr. 7, 1886: As in No. 1.
9. As in No. 7.
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BOOK V, CHAPTER XXVIII

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BOOK V, CHAPTER XXVIII

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